

JENNIFER DRURY BUZECKY  
DIRECT DIAL (414) 274-3904  
JBUECKY@WHDLAW.COM

MAY 08 2001

May 3, 2001

Ms. Deena Sheppard-Johnson  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson blvd.  
Chicago, IL 60604

Re: The Chemical Recovery Systems Site, Elyria, Ohio  
Bucyrus International Inc. Response

Dear Sheppard-Johnson:

Enclosed is an original of Bucyrus International Inc.'s response to the above-referenced matter.

Please contact me should you have any questions.

Very truly yours,



Jennifer Drury Buzecky

JDB/chj  
Enclosure

cc: Ms. Lynne Day (w/o encl.)  
Mr. Thomas Nash, EPA (w/encl.)

US EPA RECORDS CENTER REGION 5



463452

680740.1



**Bucyrus International, Inc.**  
P.O. Box 500 • 1100 Milwaukee Avenue  
South Milwaukee, Wisconsin, 53172-0500, USA  
(414) 768-4000 • Fax: (414) 768-4474

**VIA FEDERAL EXPRESS**

Ms. Deena Sheppard-Johnson, SR-6J  
Remedial Enforcement Support Section  
United States Environmental Protection Agency  
Region 5  
77 West Jackson Blvd  
Chicago, IL 60604-3590

April 27, 2001

Re: The Chemical Recovery Systems Site, Elyria, Ohio  
General Notice of Potential Liability and  
Request for Information ("March 2, 2001 Letter")

Dear Ms. Deena Sheppard-Johnson:

Pursuant to the U.S. EPA's March 2, 2001 Letter and Whyte Hirschboeck Dudek S.C.'s April 3, 2001 Letter to U.S. EPA, Bucyrus International, Inc., (formerly known as Bucyrus-Erie Company) responds to the U.S. EPA's Request for Information.

Bucyrus International, Inc. (the "Company"), formerly known as Bucyrus-Erie Company, was incorporated in Delaware in 1927. The Company was a wholly-owned subsidiary of B-E Holdings, Inc. "Holdings" until December 14, 1994, when Holdings was merged with and into the Company pursuant to the terms of the Second Amended Joint Plan of Reorganization of B-E Holdings, Inc. and Bucyrus-Erie Company under Chapter 11 of the Bankruptcy Code, as modified December 1, 1994. We are not aware whether the U.S. EPA filed a proof of claim to preserve its rights, if any, with respect to the Chemical Recovery Systems Site.

Although Whyte Hirschboeck Dudek S.C. did not represent the Company in those bankruptcy proceedings, we would be happy to assist U.S. EPA in verifying whether U.S. EPA filed a proof of claim in the 1994 bankruptcy proceedings. We would also appreciate if U.S. EPA could provide Bucyrus with additional information concerning the time frame in which the U.S. EPA obtained knowledge that remedial work beyond the July 12, 1983 Consent Decree would be required for the Chemical Recovery Systems Site. Please inform us whether this request must be made by a formal Freedom of Information Act Request, or whether this information can be obtained informally by less burdensome means.

The following responds to U.S. EPA's March 2, 2001 Request for Information:

- 1. Identify all persons consulted in the preparation of the answers to these questions.**  
Ms. Lynne M. Day – Corporate Legal Coordinator  
Mr. Gerald R. Spindler – Safety and Environmental Manager  
Mr. Pete Golden – Manager of Plant Engineering  
Mr. Ralph J. Perry – Traffic Manager  
Ms. Kathy A. Urick – Assistant to Ms. Lynne Day  
Mr. Charles M. Murray – Manager of Human Resources

2. **Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.**

The Company reviewed its database for records both on-site and in storage to answer the questions posed herein. This search included both environmental and shipping records. Documents responsive to U.S. EPA's Request for Information are enclosed herein and are specifically identified in the appropriate answers.

3. **If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.**

The only persons that the Company knows of who may be able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents are identified in the documents enclosed identified as Exhibits A-M. None of the persons identified in the documents identified as Exhibits A-M are current Company employees. The Company is aware of the address of the following three former employees: Eugene Rogowski, 4009 English Avenue, Erie, PA 16510 (retired) and Donald J. Chludzinski, 4620 Vanessa Lane, Erie, PA 16506 (retired) and Dennis Strawderman, 17324 Radcliffe Place Drive, Wildwood, MO 63025.

4. **List the EPA Identification Numbers of the Respondent.**

The EPA Identification Number for Bucyrus International, Inc.'s South Milwaukee facility is WID 006076129. The EPA Identification Number for Bucyrus-Erie's former Erie, PN facility was PAD 005028733.

5. **Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the CRS Site.**

Individuals and companies which are associated with the CRS Site and of which the Company has knowledge are identified in the documents enclosed and attached hereto as Exhibits A-C; provided however, that shipments in documents in Exhibits A and B which are shown as consigned to the CRS Site on September 16, 1980 and November 3, 1980, respectively, are shown by the April 21, 1981 document identified as Exhibit E as being disposed of at Chemical Recovery Systems, Inc., 36345 Van Born Road, Romulus, Michigan, 48174.

6. **Identify all persons including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site (operating as Obitts Chemical Company or Chemical Recovery Systems, Inc., at 142 Locust Street, Elyria, Ohio).**

The only persons that the Company knows of who may have knowledge regarding the CRS Site are identified in the documents enclosed identified as Exhibits A-C. None of the persons identified in the documents identified as Exhibits A-C are current Company employees. The Company is aware of the address of the following three former employees: Eugene Rogowski, 4009 English Avenue, Erie, PA 16510 (retired) and Donald J. Chludzinski, 4620 Vanessa Lane, Erie, PA 16506 (retired) and Dennis Strawderman, 17324 Radcliffe Place Drive, Wildwood, MO 63025.

Bucyrus-Erie's Erie, Pennsylvania operations were closed in 1984 and the business was sold, including certain real estate associated therewith, in March of 1985. Individuals and companies which are associated with the CRS Site and of which the company has knowledge are identified in the documents enclosed and attached hereto as Exhibits A-C; provided however, that shipments in documents in Exhibits A and B, which are shown as consigned to the CRS Site on September 16, 1980 and November 3, 1980, respectively, are shown by the April 21, 1981 document in Exhibit E as being disposed of at Chemical Recovery Systems, Inc., 36345 Van Born Road, Romulus, Michigan, 48174.

**7. Describe all arrangements that Respondent may have or may have had with each of the following companies and persons:**

- a) Obitts Chemical Company
- b) Russell Obitts
- c) Chemical Recovery Systems, Inc.
- d) Peter Shagena
- e) James Freeman
- f) James "Jim" Jackson
- g) Donald Matthews
- h) Bob Spears
- i) Bill Bromley
- j) Carol Oliver
- k) Nolwood Chemical Company, Inc.
- l) Art McWood
- m) Chuck Nolton

- n) **Michigan Recovery System, Inc.**
- o) **Chemical Recovery Systems of Michigan**

Because Bucyrus Erie's Erie, PA plant was sold in 1985, the Company has no knowledge of information responsive to Question 7 except for information contained in the documents which are enclosed and attached hereto as Exhibits A-M; provided however, that shipments in documents in Exhibits A and B, which are shown as consigned to the CRS Site on September 16, 1980 and November 3, 1980, respectively, are shown by the April 21, 1981 document in Exhibit E as being disposed of at Chemical Recovery Systems, Inc., 36345 Van Born Road, Romulus, Michigan, 48174.

**8. Set forth the dates during which the Respondent engaged in any of the following activities:**

- a) **generation of hazardous materials which were sent to the CRS Site;**

Generation dates are unknown; however, copies of documents evidencing the transportation of materials to the CRS Site are enclosed and attached hereto as Exhibits A-C; provided however, that shipments in documents in Exhibits A and B which are shown as consigned to the CRS Site on September 16, 1980 and November 3, 1980, respectively, are shown by the April 21, 1981 document in Exhibit E as being disposed of at Chemical Recovery Systems, Inc., 36345 Van Born Road, Romulus, Michigan, 48174.

- b) **transportation of any material to the CRS Site.**

To the best of the Company's knowledge, it never transported any materials to the CRS Site.

**9. Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials, including, but not limited to, hazardous substances, at the CRS Site. In addition, identify the following:**

- a) **The persons with whom you or such other persons made such arrangements;**
- b) **Every date on which such arrangements took place;**
- c) **For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the**

process for which the substance was used or the process which generated the substance;

d) The owner of the materials or hazardous substances so accepted or transported;

e) The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;

f) All tests, analyses, and analytical results concerning the materials;

g) The person (s) who selected the CRS Site as the place to which the materials or hazardous substances were to be transported;

h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;

i) Where the person identified in g., above, intended to have such hazardous substances or materials transported and all evidence of this intent;

j) Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;

k) What was actually done to the materials or hazardous substances once they were brought to the CRS Site;

l) The final disposition of each of the materials or hazardous substances involved in such transactions;

m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction;

n) The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the CRS Site, and all markings on such containers;

- o) The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance;**
- p) All documents containing information responsive to a - o above, or in lieu of identification of all relevant documents, provide copies of all such documents;**
- q) All persons with knowledge, information, documents responsive to a - p above.**

The only information that the Company knows of regarding the Company's involvement with the CRS Site is included in the enclosed documents identified as Exhibits A-C; provided however, that shipments in documents in Exhibits A and B which are shown as consigned to the CRS Site on September 16, 1980 and November 3, 1980, respectively, are shown by the April 21, 1981 document in Exhibit E as disposed of at Chemical Recovery Systems, Inc., 36345 Van Born Road, Romulus, Michigan, 48174.

None of the persons identified in the documents identified as Exhibits A-C are current Company employees. The Company is aware of the address of the following three former employees: Eugene Rogowski, 4009 English Avenue, Erie, PA 16510 (retired) and Donald J. Chludzinski, 4620 Vanessa Lane, Erie, PA 16506 (retired) and Dennis Strawderman, 17324 Radcliffe Place Drive, Wildwood, MO 63025.

- 10. Identify all liability insurance policies held by Respondent from 1960 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.**

Exhibit Q attached herein and incorporated by reference, identifies the liability insurance policies copies of which are enclosed herein.

- 11. Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.**

Enclosed are the Company's Form 10-K Annual Reports for the past five fiscal years, identified as Form 10-K Annual Report for Year Ending December 31, 2000, Bucyrus International, Inc.; Form 10-K Annual Report for Year Ended December 31, 1999, Bucyrus International, Inc.; Form 10-K Annual Report for Year Ended December 31, 1998, Bucyrus

International, Inc.; Form 10-K annual Report for Year Ended December 31, 1997, Bucyrus International, Inc.; Form 10-K/A Annual Report for Year Ended December 31, 1996 and 1996 Annual Report, Bucyrus International, Inc.

These reports provide information relevant to the Company's current financial condition. To the extent that the enclosed documents do not provide the financial information the U.S. EPA seeks, please contact the Company to discuss the additional information that is needed.

**12. If Respondent is a Corporation, respond to the following requests:**

**a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.**

Because Bucyrus-Erie Company is no longer in existence, this response assumes that U.S. EPA's request relates to the current operating entity. Enclosed is a copy of Bucyrus International, Inc. Restated Certificate of Incorporation Amended 3/17/98, 12/23/98, identified as Exhibit P, and By-Laws as amended November 5, 1997, December 12, 1998 and August 11, 2000, identified as Exhibit N.

**b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.**

Because Bucyrus-Erie Company is no longer in existence, this response assumes that U.S. EPA's request relates to the current operating entity. Enclosed are the Company's Form 10-K Annual Reports for year ending December 31, 2000, December 31, 1999, December 31, 1998, December 31, 1997 and Form 10-K/A for fiscal year ended December 31, 1996 (1996 Annual Report).

**c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets and liabilities.**

Because Bucyrus-Erie Company is no longer in existence, this response assumes that U.S. EPA's request relates to the current operating entity. The Company's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets and liabilities are included in the enclosed Form 10-K Annual Reports.

**d) Identify the Parent Corporation and all Subsidiaries of the Respondent.**

Because Bucyrus-Erie Company is no longer in existence, this response assumes that U.S. EPA's request relates to the current operating entity. Enclosed is a document identified as Exhibit O which outlines Bucyrus International, Inc.'s corporate structure. Bucyrus International, Inc. is currently substantially wholly-owned by Bucyrus Holdings, LLC



("Holdings") (formerly known as American Industrial Partners Acquisition Company, LLC). Holdings is controlled by American Industrial Partners Capital Fund II, L.P.

**13. If Respondent is a Partnership, respond to the following requests:**

- a) Provide copies of the Partnership Agreement;
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;
- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets and liabilities.
- d) Identify all subsidiaries of the Respondent.

Because Bucyrus International, Inc. is a corporation, it is not required to respond to 13. (a)-(d).

**14. If Respondent is a Trust, respond to the following requests:**

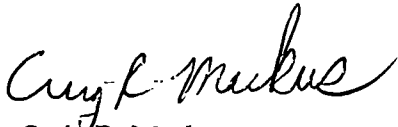
- a) Provide all relevant agreements and documents to support this claim.
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.
- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own(s) or is (are) responsible for such assets and liabilities.

Because Bucyrus International, Inc. is a corporation, it is not required to respond to 14. (a)-(c).

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

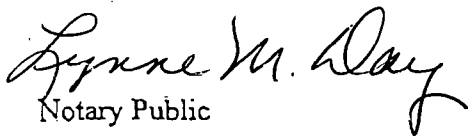
Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. In addition, the enclosed documents are true and authentic to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Craig R. Mackus  
Secretary and Controller  
April 27, 2001

State of Wisconsin  
County of Milwaukee

Subscribed and sworn to before me this  
27<sup>th</sup> day of April, 2001.



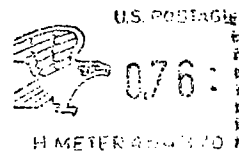
Notary Public

My commission expires February 13, 2005



WHYTE  
HIRSCHBOECK  
DUDEK S.C.

111 EAST WISCONSIN AVENUE  
SUITE 2100  
MILWAUKEE, WI 53202-4894



Ms. Deena Sheppard-Johnson  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson blvd.  
Chicago, IL 60604

60604-3311 10



Intracompany Correspondence

Date: September 29, 1980

To: D. J. Chludzinski

Copies To:

S. L. Head  
✓ E. Rogowski  
R. A. Vomero  
H. C. Shields

EXHIBIT

A

From: D. R. Wroblewski

Subject: Hazardous Waste Disposal Activities

As an update of hazardous waste disposal activities the following is offered:

As outlined in my letter dated September 17, 1980 I have decided to dispose of waste inventories through N.S. Marketing Inc. This decision was based upon the fact that N.S. Marketing will reclaim our waste products and therefore pay us for the majority of our waste.

To date, I have disposed of the Carboline Zinc filler, which was picked up on September 16, 1980. Approximately 28,864 pounds were disposed of for which we will be paid \$.10 per pound. Therefore, we should (will) receive \$2,886.40 from the sale of this material.

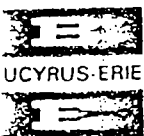
Through Stan Konopka a single, general account has been selected which will have all debits and credits charged into it.

The next waste which will be removed will be the waste hydraulic oil. Dynahoe area has already consolidated to hydraulic oil waste, the CMD area will have its hydraulic oil waste consolidated during the week of September 29, 1980. I will then schedule the bulk removed of the waste for which we will be paid \$.10 per gallon.

I will keep you informed as the consolidation and disposal (pump out) date of the hydraulic oil waste, and also as to what waste will be removed next.

DRW/pmg  
Attachment

*D. R. Wroblewski*  
D. R. Wroblewski





4600 CLAIRTON BOULEVARD • PITTSBURGH, PA 15236 • PHONE (412) 881-1554

August 25, 1980

Mr. D. R. Wroblewski  
Bucyrus-Erie Company  
Box 800  
Erie, PA 16512

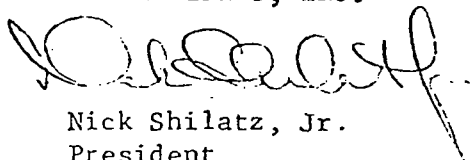
Dear Doug:

Please note the following information:

Hydraulic Oil:	We will pick up the material and pay Bucyrus-Erie \$.10/Gallon.
Zinc Dust:	I am currently exploring possibilities for this material and feel we can pay you \$.10/Pound, our pick-up.
Scrap Solvent:	We detected water in the material. In order for us to use or dispose of this product we will charge \$.10/Gallon for freight.
Paint:	I am exploring some possibilities in this area also.
Hazardous Waste in Drums:	I will discuss this with you in the near future and forward written confirmation at that time.

Very truly yours,

NS MARKETING, INC.



Nick Shilatz, Jr.  
President

CHEMICALS • OILS • FUELS

# UNIFORM STRAIGHT BILL OF LADING

Shipper's No. \_\_\_\_\_

**Company**

Agent's No.....

RECEIVED, subject to the classifications and tariffs in effect on the date of the receipt by the carrier of the property described in the Original Bill of Lading.

(Mail or street address of consignee—For purposes of notification only)

Consigned to CHEMICAL RECOVERY SYSTEMS, INC. P.O. BOX 375, ELYRIA, OHIO 44036

Destination 142 LOCUST STREET, ELYRIA, State of OHIO County of LOPAIN

Route.....

Delivering Carrier CHEMICAL RECOVERY SYSTEMS, INC. Car Initial                      Car No.                     

[illegible]

\*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight."  
Note.—Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.

The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$\_\_\_\_\_ per \_\_\_\_\_

Frank Scott Shipper, Per AGENT PER 4

Permanent postoffice address of shipper. Joseph L. Miller

4

STRAIGHT BILL OF LADING—SHORT FORM—ORIGINAL—NOT NEGOTIABLE.

RECEIVED: subject to the classification and tariffs in effect on the date of the issue of this Bill of Lading

R. E. ORDER NO.

BILL OF LADING

3471

Carrier

Carrier No.

FROM

☐ SO. MILWAUKEE, WIS. ☒ ERIE, PA.

☐ EVANSVILLE, IND.

NOVEMBER 3 19

BUCYRUS - ERIE COMPANY, AT

☐ RACINE, WIS.

☐ GLASSPORT, PA.

☐ POCATELLO, ID.

The property described below, in apparent and order, except as noted (contents and condition of packages unknown), marked, consigned, and delivered under the contract agreed to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route destination. It is mutually agreed, as in each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at interest in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Bill of Lading set forth (1) in Official, Southern, Western and Illinois Freight Classification in effect on the date hereof, if this is a rail or a rail-water shipment, or the applicable motor carrier classification or tariff if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Consigned to CHEMICAL RECOVERY SYSTEMS INC.

142 LOCUST STREET

Destination ELYRIA OHIO 44035

Route CUSTOMER TRUCK

Delivering Carrier

Car or Vehicle Initials

No.

CUSTOMER ORDER NO.

OUR ORDER NO.

No. Packages	Kind of Package, Description of Articles, Special Marks, and Exceptions	*Weight (Sub. to Correction)	Class or Rate	Ck. Col.	Subject to Section 7 of Conditions of Bill of Lading. If this is to be delivered to the consignee, the consignee shall sign the following: The carrier shall not make delivery of this shipment without payment of all other lawful charges. BUCYRUS-ERIE COMPANY
1	FLAMABLE LIQUID NOS (BULK TANK CARRIER) (4200 GAL) HAZARDOUS MATERIAL LABELED AND PLACCARDED ACCORDINGLY  THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY CLASSIFIED DESCRIBED PACKAGED MARKED AND LABELED ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE EX APPLICABLE REGULATIONS OF THE DEPT OF TRANSPORTATION.  Shipment Date 11-3-80				Per BECO (Signature of Consignor, If charges are to be prepaid, stamp here, "To be Prepaid")  Received \$ _____ to prepayment of the charges on the property described hereon.  Agent or Cashier  Per _____ (The signature here acknowledges the amount prepaid.) Charges Advanced: \$ _____  This shipment is correctly described. Correct weight is _____ Subject to verification by the EASTERN, SOUTHERN OR WESTERN WEIGHING AND INSPECTION BUREAU According to agreement BUCYRUS-ERIE COMPANY  PJM Shipper

WE CERTIFY THE ACTUAL WEIGHT OF DUNNAGE IS \_\_\_\_\_ POUNDS

FOOT IN LENGTH ORDERED BY SHIPPER

CAR FURNISHED BY CARRIER, UNDER RULE 34, UNIFORM OR CONSOLIDATED CLASSIFICATION

\*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is carrier's or shipper's property.  
NOTE—Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding

BUCYRUS - ERIE COMPANY, AT

☐ SO. MILWAUKEE, WIS.

☒ ERIE, PA.

☐ EVANSVILLE, IND.

☐ RACINE, WIS.

☐ GLASSPORT, PA.

☐ POCATELLO, ID.

2

PICK UP COPY

# CHEMICAL RECOVERY SYSTEMS, INC.

No. 7251

36345 VAN BORN ROAD  
ROMULUS MICHIGAN, 48174  
PHONE (313) 326-3100

142 LOCUST STREET  
P.O. BOX 375  
ELYRIA, OHIO 44035  
PHONE (216) 323-3275

Nov 3 <sup>rd</sup> 1988

SOLD TO

PICK UP

Bucyrus Erie  
1521 Raspberry St.  
Erie, Pa.

ATTN: DOUG WROBLEWSKI

DELIVER TO: 142 Locust St Elyria, Ohio 44035

DATE 11-3-88	CUST. ORDER NO. 115	F.O.B. <input type="checkbox"/> COLLECT <input checked="" type="checkbox"/> PREPAID	DATE REQUIRED 11-3-88	TRK. OR TANKER#	SHIP VIA Our truck
DESCRIPTION		DRUMS	GALS.	PDS.	
TT FLAMMABLE LIQUID, NOS, FLAMMABLE LIQUID (Dirty Solvent)			4200 1		
LOADED AT	OF	GROSS WT.	TARE	NET WT.	UNITS

We hereby certify that these goods were produced in compliance with all applicable requirements of Sections 6, 7, and 12 of the Fair Labor Standards Act, as amended, and of regulations and orders of the United States Department of Labor issued under Section 14 thereof.

RELEASED BY

DRIVER'S SIGNATURE

1

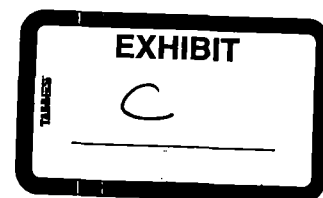


# BECOR WESTERN

Becor Western Inc. • 1100 Milwaukee Avenue • South Milwaukee, Wisconsin 53172 • 414/768-4400

Telecopy Nos. (414)768-4300  
(414)768-4474

Telex No. 3797352  
Answerback BUCYRUS SMILB



## TELECOPY

Date: October 29, 1985

TO: Susan Malone

FROM: Dennis Strawderman

Pages: 2 pages plus cover

TO: SUSAN MALONE

Following is some additional information I have gathered pertaining to questions 3 and 6 of the Oros interrogatories.

We did use zinc, dichloromethane, toluene, acetone, naphthalene (possibly) and aromatic hydrocarbons (possibly) in the Erie processes.

These substances were transported by the following firms for disposal outside Pennsylvania with two exceptions which are asterisked below:

INTERROGATORY 3

<u>SUBSTANCE</u>	<u>TRANSPORTER</u>	<u>DISPOSAL FACILITY</u>
Zinc (carboline zinc filler)	Chemical Recovery Systems, Inc. Elyria, Ohio	Chemical Recovery Systems, Inc. Elyria, Ohio
Dichloromethane	(1) Chemical Recovery Systems, Inc. Romulous, MI	Chemical Recovery Systems, Inc. Romulous, MI
	(2) AMO Pollution Service, Inc. Cannonsbury, PA	Alchem-tron, Inc. Cleveland, OH
PCB's - (in transformers/ capacitors)	Jones Chemical Company Erie, PA	Jones Chemical Company Beech Grove, Indiana

Mixture of various thinners, paints and solvents containing toulene, zinc dust, acetone, aromatic hydrocarborns (I don't know if they were polynuclear however) and napthalene (test results say "naptha") were transported by Chemical Waste Management, Columbus, Ohio to its Emelle, Alabama site.

Also, Alchem-tron transported and disposed of similar material at its Cleveland site.

INTERROGATORY 6

<u>SOLVENTS</u>	<u>TRANSPORTER</u>	<u>DISPOSAL FACILITY</u>
	1. Chemical Recovery Systems Inc. Elyria, Ohio	Chemical Recovery Systems, Inc. Elyria, Ohio
	2. Chemical Waste Management Columbus, Ohio	Chemical Waste Management Emelle, Ala.
	3. AMO Pollution Services Inc. Cannonsbury, PA	Alchem-trons, Inc. Cleveland, Ohio
	*4. Safety Kleen Erie, PA	Safety Kleen Erie, PA
	5. Alchem-tron, Inc. Cleveland, Ohio	Alchem-tron, Inc. Cleveland, Ohio

INTERROGATORY 6 (Cont'd.)

TRANSPORTER

PAINT/PAINT SLUDGE THINNERS

- \*1. NSN Marketing Co.  
Pittsburgh, PA
2. Chemical Waste Management  
Columbus, Ohio
3. Alchem-tron, Inc.  
Cleveland, Ohio

DISPOSAL FACILITY

NSN Marketing Co.  
Pittsburgh, PA

Chemical Waste Management  
Emelle, Ala.

Alchem-tron, Inc.  
Cleveland, Ohio

Thanks for your help.

Sincerely,

Dennis L. Strawderman

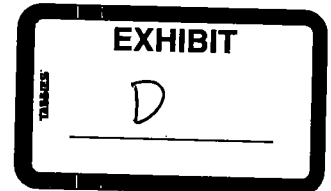


BUCYRUS-ERIE COMPANY

BOX 800

ERIE, PENNSYLVANIA 16512  
(814) 459-8000

March 20, 1981



N. S. Marketing  
4600 Clairton Boulevard  
Pittsburgh, Pa. 15236

Attention: Nick Shilatz

Nick:

Would appreciate your assistance in resolving the following:

- A. In December, 1980, N. S. Marketing, through Chemical Recovery Systems Inc., pumped out 20 - 55 gallon (1,100 gallons) of waste Methylene Chloride for your reclamation. This was done without a quote for disposal or reimbursement cost. To date, no quote has been received or transactions made.
- B. On March 16, 1981, N. S. Marketing, through Kennywood Automotive, pumped out 6,000 gallons of hydraulic oil (most of which was filtered and of acceptable quality) for your reclamation. This was done without a quote for disposal or reimbursement cost. To date, no quote has been received or transactions made.
- C. The following is a listing of paints which I wish to dispose of. If the paint is not marketable to allow our reimbursement, please indicate costs for removal.
  - 1. 48 - 5 gallon pails (240 gal), Carbozinc #11  
Palletized and banded on 7 pallets
  - 2. 30 - 73 lbs. Cans, 2190 lbs., Zinc Filler (dust)  
Palletized and banded on 1 pallet.
  - 3. 14 - 5 gallon pails, 1140 lbs., Zinc Filler (dust)  
Palletized and banded with Item 2.
  - 4. 101 - 5 gallon pails + 16 - 1 gallon cans (521 gal)  
Carboline #1294 Acrylic  
Palletized and banded on 3 pallets



Page 2  
March 20, 1981

5. 19 - 5 gallon pails (95 gal), Carboline Thinner #2  
Palletized and banded on 1 pallet.
6. 7 - 5 gallon pails (35 gal), Carboline Thinner #25  
Palletized and banded on 1 pallet.
7. 64 - 5 gallon pails (320 gal), Exempt Alkyd Enamel  
Green and Red Paint, Military Spec.  
Palletized and banded on 2 pallets.
8. 264 - 5 gallon pails (1320 gal), PPG Buttercup Yellow  
Exempt Alkyd Enamel  
Palletized and banded on 8 pallets.
9. 209 - 5 gallon pails (1045 gal), PPG Red Enamel Primer  
Palletized and banded on 7 pallets.
- Bucket* 10. 80 - 55 gallon drums (4400 gal), General Electric  
Exempt Alkyd Enamel  
Drums are not palletized but can be if so required.

Please reply so we may mutually resolve items "A" and "B" and  
consider possibilities for item "C".

Very truly yours,

BUCYRUS-ERIE COMPANY

*D. R. Wroblewski*  
D. R. Wroblewski

DRW:ms

*Approx 50 pallets  
Total*

N.S. MARKETING  
4600 CLAIRTON BOULEVARD  
PITTSBURGH PA 15236  
ATTN: NICK SHILATZ

Nick,

would appreciate your assistance in resolving the following:

- A) In December 1980, N.S. Marketing, through Chemical Recovery Systems Inc., pumped out 20-55 gallon (1100 gallons) of waste Methylene Chloride for your reclamation. This was done without a quote for disposal or reimbursement cost. To date, no quote has been received or transactions made.
- B) On March 16<sup>th</sup> 1981, N.S. Marketing, through Kenneywood Automotive, pumped out 6,000 gallons of Hydraulic oil, (most of which was filtered and of acceptable quality), for your reclamation. This was done without a quote for disposal or reimbursement cost. To date, no quote has been received or transactions made.
- C) The following is a listing of Paints which I wish to dispose of. If the paint is not marketable to allow our reimbursement please indicate costs for removal.

- 1 ~~A~~) 48-5 gallon pails (240 gal), Auto zinc #11  
Palletized and Banded on 2 pallets
- 2 ~~B~~) 30-73 lbs Can, 2190 lbs, Zinc Filler (Dust)  
Palletized and Banded on 1 pallet
- 3 ~~C~~) 14-5 gallon pails, 1140 lbs, Zinc Filler (Dust)  
Palletized and Banded with Item 2
- 4 ~~D~~) 101-5 gallon pails + 16-1 gallon Can (521 gal)  
Carboline #1294 Acrylic  
Palletized and Banded on 3 pallets
- 5 ~~E~~) 19-5 gallon pails (95 gal), Carboline thinner #2  
Palletized and Banded on 1 pallet
- 6 ~~F~~) 7-5 gallon pails (35 gal), Carboline thinner #25  
Palletized and Banded on 1 pallet
- 7 ~~G~~) 64-5 gallon pails (320 gal), Exempt Alkyd enamel  
green and red paint, Military spec  
Palletized and Banded on 2 pallets
- 8 ~~H~~) 264-5 gallon pails (1320 gal), FPG Buttercup yellow  
Exempt Alkyd enamel.  
Palletized and Banded on 8 pallets
- 9 ~~I~~) 209-5 gallon pails (1045 gal), FPG Red enamel primer  
Palletized and Banded on 2 pallets
- 10 ~~J~~) 80-55 gallon drums (4400 gal), General Electric  
Exempt Alkyd enamel.  
Drums are not palletized But can be if so required.

These replies are mutually exclusive items  
"A" and "B" and I consider possibilities for item  
"C".

D.P. Wroblewski



Intracompany Correspondence

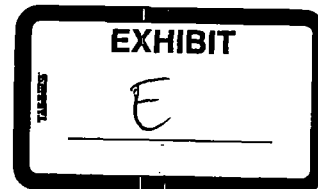
Date: April 21, 1981

To: D. L. Strawderman

Copies To: ✓ D. J. Chludzinski  
E. Rogowski

From: D. R. Wroblewski

Subject: Commonwealth of Pennsylvania,  
Department of Environmental Resources  
Quarterly Report, Waste Disposal



Dennis:

The Commonwealth of Pennsylvania requires quarterly reports outlining disposal activities. The first quarter report must be submitted by April 30, 1981.

Attached is an extra report package which I have received, along with the completed reports applicable to general information and generators activities (ER-SWM-55 and ER-SWM-55A). I felt the facilities report (ER-SWM-55B) did not apply to us, therefore I did not fill it out.

Also attached is an excerpt from the Pennsylvania Bulletin, number 31, volume 10, Part II containing the listings of hazardous wastes and materials.

Two questions arose when I was completing the report ER-SWM-55A.

1. Item XIV B, Dot Hazard Class:

A hazard class was not listed for the materials which we disposed of. Upon shipment it was listed as an ORM-A waste. Table I in the instructions did not list an ORM-A hazard class. I contacted Mr. Jeff Beatty, Division of Hazardous Waste Management, Harrisburg, Pennsylvania on April 21, 1981. I was instructed to place an asterisk in the block and apply the footnote as it appears in the comment block.

2. Item XIV F, Pennsylvania Hazardous Waste Transporter License number:

To my knowledge the transporter involved in this disposal activity does not have a Pennsylvania license number (they do have an EPA I.D. number and Michigan I.D. number. Mr. Beatty instructed me to leave this item blank.



D. L. Strawderman

April 21, 1981  
Page Two

Also attached is a chronological listing of disposal activities to date at the Erie Plant. The Methylene Chloride (Dichloromethylene), is the only one that is hazardous and falls into the reporting period time frame.

Please review and comment as required so I may submit by April 30, 1981.

Thanks,

DRW/pmg  
Attachment

*D. R. Wroblewski*  
D. R. Wroblewski  
Supt. Fiber Cab

September 16, 1981: 368 - 73# Cans (28,864#)  
Carboline Zinc Filler

Chemical Recovery Systems Inc.,  
36345 Van Born Road  
Romulus, Michigan 48174

Transporter - Chemical Recovery

October 9, 1980 : 6000 Gallons (Bulk)  
Waste Hydraulic Oil

N. S. Marketing Inc.  
4600 Clairton Boulevard  
Pittsburgh, Pennsylvania 15236

Transporter - Kennywood Automotive  
McKeesport, Pennsylvania

November 3, 1980 : 4200 Gallons (Bulk)  
Solvent, Waste N.O.S. Flammable

Chemical Recovery Systems Inc.,  
36345 Van Born Road  
Romulus, Michigan 48174

Transporter - Chemical Recovery

December 18, 1980: 1000 Gallons (Bulk) (11,070 lbs.)  
Methylene Chloride Waste  
(Dichloromethane)

Chemical Recovery Systems Inc.  
36345 Van Born Road  
Romulus, Michigan 48174

Transporter - Chemical Recovery

March 16, 1981: 6000 Gallons (Bulk)  
Waste Hydraulic Oil

N.S. Marketing Inc.  
4600 Clairton Boulevard  
Pittsburgh, Pennsylvania 15236

Transporter - Kennywood Automotive  
McKeesport, Pennsylvania

April 14, 1981:

526 - 5 Gallon Pails  
Enamel Paints - Obsolete

N.S. Marketing Inc.  
4600 Clairton Boulevard  
Pittsburgh, Pennsylvania 15236

Transporter - N.S. Marketing

## GENERATOR QUARTERLY REPORT - PART A

FOR OFFICIAL  
USE ONLY  
(Items 1 and 2)

1. DATE RECEIVED

- - - - - 1 9

X. GENERATOR'S I.D. NO.

2. RECEIVED BY

P A D 0 0 5 0 2 8 7 3 3

XI. FACILITY'S I.D. NO.

M I D 0 6 0 9 7 5 8 4 4

XIII. FACILITY ADDRESS (Street or PO box, city, state &amp; zip code.)

36345 Van Born Road  
Romulus, Michigan 48174

XII. FACILITY NAME (specify).

Chemical Recovery Systems Inc.

MUN.

COUNTY

## XIV. WASTE IDENTIFICATION

LINE NO.	A. DESCRIPTION OF WASTE AND MANIFEST DOCUMENT NUMBER (MDN)	B. DOT Hazard Class	C. Hazardous Waste Number	D. Amount of Waste	E. Unit of Measure	F. PA. Hazardous Waste Transporter (HWT) License No.
1	Dichloromethane (Methylene Chloride) Waste from General Cleaning MDN- MI 117303	*	F 0 0 2	1 1 0 7 0	P	
2	MDN-					
3	MDN-					
4	MDN-					
5	MDN-					
6	MDN-					
7	MDN-					
8	MDN-					
9	MDN-					
10	MDN-					

XV. COMMENTS (enter information by line number-see instructions.)

\* Dot Hazard Class Not Listed.  
Materiallassed as ORM-A

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES  
BUREAU OF SOLID WASTE MANAGEMENT  
HAZARDOUS WASTE REPORT

Please print or type with ELITE type (12 characters/inch )

PLEASE PLACE LABEL IN THIS SPACE

## I. TYPE OF HAZARDOUS WASTE REPORT

## PART A: GENERATOR QUARTERLY REPORT

THIS REPORT IS FOR THE  
QUARTER ENDING

3 - 3 1 - 1 9 8 1

## PART B: FACILITY QUARTERLY REPORT

THIS REPORT IS FOR THE  
QUARTER ENDING

- - 1 9

## II. INSTALLATION'S ID. NUMBER

PAD005028733

## III. NAME OF INSTALLATION

BUCYRUS ERIE COMPANY

## IV. INSTALLATION MAILING ADDRESS

STREET OR P. O. BOX

1521 RASPBERRY STREET

CITY OR TOWN

ERIE

ST.

ZIP CODE

PA 16512

## V. LOCATION OF INSTALLATION

STREET OR ROUTE NUMBER

MUNICIPALITY

CITY OR TOWN

ST.

ZIP CODE

COUNTY

## VI. INSTALLATION CONTACT

NAME (last and first)

PHONE NO. (area code &amp; no.)

WROBLEWSKI D

814 459 8000

## VII. TRANSPORTATION SERVICES USED (for Part A reports only)

List the identification numbers for those transporters whose services were used during the reporting quarter represented by this report.

MID 060975844, H-101 (Michigan) Chemical Recovery Systems Inc,

## VIII. ANNUAL COST ESTIMATES FOR FACILITIES (for Part B reports only)

## A. COST ESTIMATE FOR FACILITY CLOSURE

B. COST ESTIMATE FOR POST CLOSURE MONITORING AND  
MAINTENANCE (dispose facilities only)

\$

\$

## IX. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.

A. Print or Type Name

B. Signature

C. Date Signed

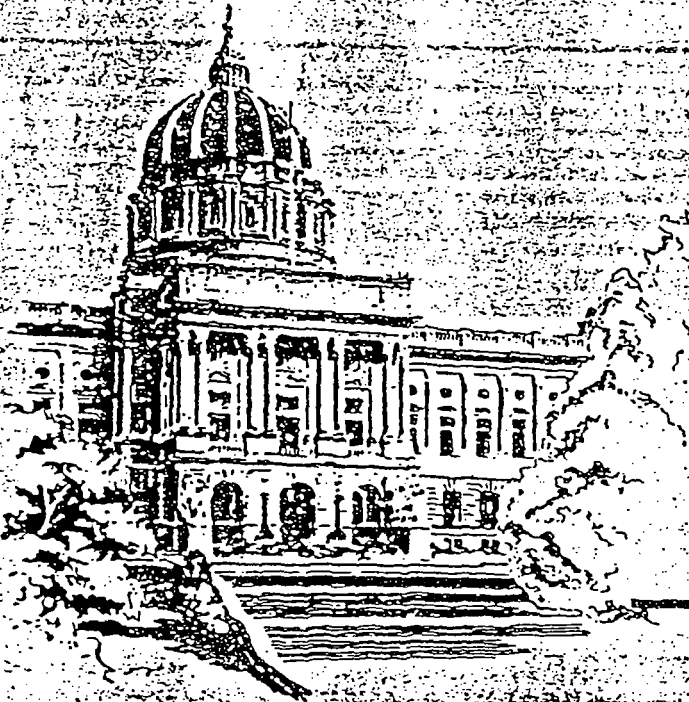
April 21, 1981

# PENNSYLVANIA BULLETIN

VOLUME 10      NUMBER 31  
Saturday, August 2, 1980 • Harrisburg, Pa.

## PART II

This Part Contains the  
Environmental Quality  
Board's  
Criteria, Identification  
and Listing  
of Hazardous Waste



*This issue contains documents officially filed through 12:00 noon, August 1, 1980*

# Rules and Regulations

## Title 25— ENVIRONMENTAL RESOURCES

DEPARTMENT OF ENVIRONMENTAL  
RESOURCES

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 75]

Criteria, Identification and Listing of Hazardous Waste

July 15, 1980

*Before members:* Clifford L. Jones, Chairman; Shirley Dennis; Ralph Abele; Glenn Bowers; Thomas Dolan; Leonard Green; Dr. Alvin Grove; Russell Haller; Gail Rockwood; Representative Roy W. Wilt; Douglas Reeser, representing Secretary of Commerce; J. Luther Snyder, representing Secretary of Agriculture; Eileen Barrett, representing Chairman of Public Utility Commission; William Roth, representing Executive Director of Governor's Office of Policy and Planning; Stanley Brosky, representing Executive Director of Historical and Museum Commission; Dr. Donald Reid, representing Secretary of Health; Robert Quigley, representing Senator Mellow and E. Richard Dodd, representing Representative Fea.

The Environmental Quality Board by this order adopts 25 Pa. Code Chapter 75, section 75.261 (relating to criteria, identification and listing of hazardous waste) to read as set forth in Annex A hereto.

Section 75.261 identifies the characteristics of and lists particular hazardous wastes which the Department of Environmental Resources has determined pose a substantial present or potential hazard to the human health or the environment.

Section 75.261 is also the first step in the process of promulgating regulations which are at least as stringent as the regulations which the United States Environmental Protection Agency has recently begun to promulgate pursuant to the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*). Under this statute, states which have not put into effect sufficiently stringent programs and received EPA approval for those programs by certain dates will be deprived by operation of Federal preemp-

tion of their legal authority to regulate hazardous waste activities. Section 75.261 is, therefore, designed to be the Pennsylvania counterpart of 40 C.F.R. Part 261 (identification and listing of hazardous waste) published May 19, 1980 in the Federal Register at page 33119 *et seq.* It is anticipated that the Environmental Quality Board will be presented with other proposed regulations equivalent to EPA's May 19 promulgation as soon as the remainder of Act 97 becomes effective in September.

Section 75.261 is adopted pursuant to the mandate of section 402 of the act of July 7, 1980 (P. L. \_\_\_\_\_, No. 97) (\_\_\_\_ P. S. \_\_\_\_\_) known as the Solid Waste Management Act, which states as follows: "The Board shall identify the characteristics of hazardous wastes and list particular hazardous wastes within 30 days after the effective date of this section, which initial list shall not be subject to Section 107 of this act but shall be promulgated in accordance with Section 204(3) (relating to omission of notice of proposed rule making) of the act of July 31, 1968 (P. L. 769, No. 240), referred to as The Commonwealth Documents Law."

Accordingly, section 75.261 has not been previously published as a notice of proposed rule making, nor has a fiscal note been filed previously.

The Environmental Quality Board finds:

(1) That section 402 of the act of July 7, 1980 (P. L. \_\_\_\_\_, No. 97) (\_\_\_\_ P. S. \_\_\_\_\_) mandates that the subject regulations shall be promulgated within 30 days after the effective date of the act and in accordance with section 204(3) of the CDL, and, therefore, notice of proposed rule making is unnecessary and impracticable.

(2) That the adoption of the regulations in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statutes.

The Environmental Quality Board, acting pursuant to the authorizing statutes, orders:

(A) That the regulations of the Department of Environmental Resources; 25 Pa. Code Chapter 75, are amended by adding section 75.261 to read as set forth in Annex A hereto.

(B) The Chairman of the Environmental Quality Board shall submit this order and Annex A hereto to the

Department of Justice for approval as to legality as required by law.

(C) The Chairman of the Environmental Quality Board shall duly certify this order and Annex A hereto and deposit the same with the Legislative Reference Bureau as required by law.

(D) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

By the Environmental Quality Board

CLIFFORD L. JONES,

Chairman

**Fiscal Note:** EQB 80-16. No fiscal impact; (8) recommends adoption. These proposed regulations fulfill the requirements of section 402 of the recently enacted House Bill 1840, Act 97 of 1980, and section 3006 regarding State authorization under the Federal Resource Conservation and Recovery Act, P. L. 94-590.

### Annex A

## TITLE 25. ENVIRONMENTAL RESOURCES

### PART I. DEPARTMENT OF ENVIRONMENTAL RESOURCES

#### Subpart C. PROTECTION OF NATURAL RESOURCES

#### CHAPTER 75. SOLID WASTE MANAGEMENT

#### § 75.261. Criteria, identification and listing of hazardous waste.

##### (a) Scope.

This section defines the term "hazardous wastes", and identifies those solid wastes which are excluded from regulation under some portion or all of sections 75.262 — 75.267 of this title.

(2) This section identifies those solid wastes which are subject to regulation as hazardous wastes under sections 75.262 — 75.267 of this title.

(3) This section identifies hazardous wastes by characteristic, source and specific substance and establishes special management requirements for hazardous waste produced by small quantity generators and hazardous waste which is used, reused, recycled or reclaimed.

##### (b) Determination of hazardous waste.

(1) A hazardous waste is a solid waste which is not excluded as hazardous waste under subsection (c) of this section and meets any of the following criteria:



(i) Is listed in subsection (h) of this section and has not been exempted in accordance with § 75.260 of this title.

(ii) Is a mixture of solid waste and one or more hazardous wastes listed in subsection (h) of this section and has not been exempted in accordance with § 75.260 of this title.

(iii) Exhibits any of the characteristics of hazardous waste identified in subsection (g) of this section.

(2) A solid waste which is not excluded under subsection (c) of this section becomes a hazardous waste when any of the following occur:

(i) In the case of a waste listed in subsection (h) of this section when the waste first meets the listing description.

(ii) In the case of a mixture of solid waste and one or more listed hazardous wastes, when a hazardous waste listed in subsection (h) of this section is first added to the solid waste.

(iii) In the case of any other waste, including a waste mixture, when the waste exhibits any of the characteristics identified in subsection (g) of this section.

(3) Unless and until it meets the criteria of paragraph (4) of this subsection:

(i) A hazardous waste will remain a hazardous waste as identified in this section.

(ii) Any solid waste generated from the treatment, storage or disposal of a hazardous waste, including any sludge, spill residue, ash, emission control dust or leachate — but not including precipitation run-off, is a hazardous waste.

(4) Any solid waste described in paragraph (3) of this subsection is not a hazardous waste if it meets the following criteria:

(i) In the case of any solid waste, it does not exhibit any of the characteristics of hazardous waste identified in subsection (g) of this section.

(ii) In the case of a waste which is a hazardous waste listed in subsection (h) of this section, contains a hazardous waste listed in subsection (h) of this section or is derived from a hazardous waste listed in subsection (h) of this section 75.621(h), if it has been exempted under § 75.260 of this title.

(c) *Exclusions.* The following solid wastes are specifically excluded as hazardous wastes:

(1) Solid or dissolved material in domestic sewage and any mixture of domestic sewage and other wastes that pass through a sewer system to a public

ly-owned treatment works for treatment.

(2) Industrial wastewater discharges that are point sources subject to regulation under section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880). This exclusion applies only to the actual point source discharge. It does not exclude industrial wastewaters while they are being collected, stored or treated prior to discharge, nor does it exclude sludges that are generated by industrial wastewater treatment.

(3) Solid or dissolved materials in irrigation return flows.

(4) Source, special nuclear, or by-product material as defined by the United States Atomic Energy Act of 1954, as amended (68 Stat. 923).

(5) Materials subjected to in-situ mining techniques which are not removed from the ground as a part of the extraction process.

(6) Industrial lunchroom or office waste and household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered, such as refuse derived fuel, or reused.

(7) Solid wastes generated by any of the following and which are returned to the soils as fertilizers:

(i) The growing and harvesting of agricultural crops.

(ii) The raising of animals, including animal manures.

(8) Coal refuse as defined in the act of September 24, 1968 (P. L. 1040, No. 318), known as the Coal Refuse Disposal Control Act.

(9) Mining overburden returned to the mine site.

(10) Treatment sludges from coal mine drainage treatment facilities, the disposal of which is being conducted pursuant to and in compliance with a valid permit issued pursuant to the act of June 22, 1937 (P. L. 1987, No. 394), known as The Clean Streams Law.

(11) Fly ash waste, bottom ash waste, slag waste, and flue-gas emission control waste generated either from the combustion of coal or other fossil fuels.

(12) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil, natural gas or geothermal energy.

(d) *Special requirements for hazardous waste generated by small quantity generators.*

(i) Except as otherwise provided in

this section, any person or municipality who within a calendar month generates a total of less than 1000 kilograms of hazardous wastes from all on-site sources shall only be subject to hazardous waste determination in the generator requirements of section 75.262 of this title.

(2) If a person or municipality, whose waste has been excluded under paragraph (1) of this subsection accumulates hazardous wastes in quantities greater than 1000 kilograms, those wastes are subject to all applicable requirements under sections 75.262 — 75.267 of this title.

(3) If any person or municipality generates in a calendar month or accumulates at any time the following hazardous wastes greater than the quantities set forth below, the wastes shall be subject to all applicable requirements under sections 75.262 — 75.267 of this title.

(i) One kilogram of any commercial product or manufacturing chemical intermediate having the generic name listed in subsection (h)(4)(v) of this section.

(ii) One kilogram of any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have a generic name listed in subsection (h)(4)(v) of this section.

(iii) Any containers identified in subsection (h)(4)(iii) of this section that are larger than 20 liters in capacity;

(iv) Ten kilograms of inner liners from containers identified under subsection (h)(4)(iii) of this section.

(v) One hundred kilograms of any residue or contaminated soil, water or other debris resulting from the clean-up of a spill, into or on any land or waters of the Commonwealth, of any commercial chemical product, off-specification commercial chemical product or manufacturing chemical intermediate having a generic name listed in subsection (h)(4)(v) of this section.

(4) In order for hazardous wastes to meet the special requirements under subsection (d) of this section, the small quantity generator shall:

(i) treat or dispose of the waste in a permitted on-site facility;

(ii) ensure delivery to a permitted off-site hazardous waste management facility within the Commonwealth;

(iii) ensure delivery of the waste to a permitted municipal or residual waste management facility, after the facility has received written approval from the Department if the facility is situated within the Commonwealth; or

(iv) ensure delivery to a permitted municipal, industrial, or hazardous waste management facility outside the Commonwealth.

(5) Hazardous waste subject to the special requirements of this section may be mixed with nonhazardous waste and remain subject to only these special requirements even though the resultant mixture exceeds the quantity limitations identified in this subsection unless the mixture meets any of the characteristics of hazardous wastes identified in subsection (g) of this section.

(e) *Special requirements for hazardous waste which is used, reused, recycled or reclaimed.*

(1) Except as otherwise provided in paragraph (2) of this subsection, a hazardous waste which is being beneficially used, reused, or legitimately recycled or reclaimed; or accumulated, stored or physically, chemically or biologically treated prior to beneficial use or re-use or legitimate recycling or reclamation shall not be subject to the requirements of sections 75.262 — 75.267 of this title.

(2) A hazardous waste which is a sludge, or is listed in subsection (h) of this section or contains one or more hazardous wastes listed in subsection (h) of this section and is stored or transported prior to being reused, recycled or reclaimed is subject to the following requirements with respect to such transportation or storage:

(i) Notification Requirements, section 75.267 of this title.

(ii) Generator Requirements, section 75.262 of this title.

(iii) Transporter Requirements, section 75.263 of this title.

(iv) All applicable requirements of sections 75.264 — 75.265 of this title.

(f) *Departmental regulation of unlisted hazardous waste.*

(1) The Department may regulate an unlisted waste as a hazardous waste if such waste demonstrates a characteristic that:

(i) poses a substantial present or potential hazard to human health or the environment when it is improperly treated, stored, transported, disposed of or otherwise managed; and

(ii) can be measured by an available standardized test method which is reasonably within the capability of generators of solid waste or private laboratories that are available to serve generators of solid waste.

(2) The Department may regulate an unlisted waste as a hazardous

waste upon determining that such waste meets one of the following criteria:

(i) It has been found to be fatal to humans in low doses or, in the absence of data on human toxicity, it has been shown in studies to have an oral LD 50 toxicity (rat) of less than 50 milligrams per kilogram, an inhalation LC 50 toxicity (rat) of less than 2 milligrams per liter, or a dermal LD 50 toxicity (rabbit) of less than 200 milligrams per kilogram or is otherwise capable of causing or significantly contributing to an increase in serious irreversible, or incapacitating reversible, illness.

(ii) It contains any of the toxic constituents listed in Appendix VIII unless, after considering any of the following factors, the Department concludes that the waste is not capable of posing a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of, or otherwise managed:

(A) The nature of the toxicity presented by the constituent.

(B) The concentration of the constituent in the waste.

(C) The potential of the constituent or any toxic degradation product of the constituent to migrate from the waste into the environment under the types improper management considered in subsection (f)(2)(iii)(G) of this title.

(D) The persistence of the constituent or any toxic degradation product of the constituent.

(E) The potential for the constituent or any toxic degradation product of the constituent to degrade into non-harmful constituents and the rate of degradation.

(F) The degree to which the constituent or any degradation product of the constituent bioaccumulates in ecosystems.

(G) The plausible types of improper management to which the waste could be subjected.

(H) The quantities of the waste generated at individual generation sites or on a regional or national basis.

(I) The nature and severity of the human health and environmental damage that has occurred as a result of the improper management of wastes containing the constituent.

(J) Action taken by other governmental agencies or regulatory programs based on the health or environmental hazard posed by the waste or waste constituent.

(K) Such other factors as may be appropriate.

Substances will be listed on Appendix VIII only if they have been shown in scientific studies to have toxic, carcinogenic, mutagenic or teratogenic effects on humans or other life forms.

(g) *Characteristics of hazardous waste.*

(1) *General.*

(i) A solid waste is a hazardous waste if it exhibits any of the characteristics identified in this subsection unless it is excluded as a hazardous waste in subsection (c) of this title.

(ii) A hazardous waste, identified by a characteristic in this subsection but not listed as a hazardous waste in subsection (h) of this section, is assigned the Hazardous Waste Number of the respective characteristic as set forth in this subsection. This number shall be used in complying with the notification requirements and certain record-keeping and reporting requirements under sections 75.262 — 75.267 of this title.

(iii) For the purposes of this subsection (g) of this section, the Department will consider as representative a sample obtained using any of the applicable sampling methods specified in Appendix I or an equivalent method approved by the Department.

(2) *Characteristic of ignitability.*

(i) A solid waste exhibits the characteristic of ignitability if a representative sample of the waste has any of the following properties:

(A) It is a liquid with a flash point less than 60°C (140°F), as determined by a Pensky-Martens Closed Cup Tester, using the test method specified in ASTM Standard D-93-79, or a Setaflash Closed Cup Tester, using the test method specified in ASTM Standard D-3278-78, or as determined by an equivalent test method approved by the Department. An aqueous solution containing less than 24 percent alcohol by volume is excluded from this definition.

(B) It is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a hazard.

(C) It is an ignitable compressed gas as defined in 49 C.F.R. § 173.300 and as determined by the test methods described in that regulation or equivalent test methods approved by the Department.

(D) It is an oxidizer as defined in 49 C.F.R. § 173.151.

(ii) A solid waste that exhibits the characteristic of ignitability, but is not listed as a hazardous waste in subsection (h) of this section, has the Hazardous Waste Number of D001.

(3) *Characteristic of corrosivity.*

(i) A solid waste exhibits the characteristic of corrosivity if a representative sample of the waste has either of the following properties:

(A) It is aqueous and has a pH less than or equal to two or greater than or equal to 12.5, as determined by a pH meter using either the test method specified in the "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods" (also described in "Methods for Analysis of Water and Wastes" EPA 600/4-79-020, March 1979), or an equivalent test method approved by the Department.

(B) It is a liquid and corrodes steel (SAE 1020) at a rate greater than 6.35 mm (0.250 inch) per year at a test temperature of 55°C (130°F) as determined by the test method specified in NACE (National Association of Corrosion Engineers) Standard TM-01-69 as standardized in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods," or an equivalent test method approved by the Department.

(ii) A solid waste that exhibits the characteristic of corrosivity, but is not listed as a hazardous waste in subsection (h) of this section 75.261(h) has the Hazardous Waste Number of D002.

(4) *Characteristic of reactivity.*

(i) A solid waste exhibits the characteristic of reactivity if a representative sample of the waste has any of the following properties.

(A) It is normally unstable and readily undergoes violent change without detonating.

(B) It reacts violently with water.

(C) It forms potentially explosive mixtures with water.

(D) When mixed with water, it generates toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment.

(E) It is a cyanide or sulfide bearing waste which, when exposed to pH conditions between two and 12.5, can generate toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment.

(F) It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement.

(G) It is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure.

(H) It is a forbidden explosive as defined in 49 C.F.R. § 173.51, or a Class A explosive as defined in 49 C.F.R. § 173.53 or a Class B explosive as defined in 49 C.F.R. § 173.88.

(ii) A solid waste that exhibits the characteristic of reactivity, but is not listed as a hazardous waste in subsection (h) of this section 75.261(h) has the Hazardous Waste Number of D003.

(5) *Characteristic of EP toxicity.*

(i) A solid waste exhibits the characteristic of EP toxicity if, using the test methods described in Appendix II or equivalent methods approved by the Department, the extract from a representative sample of the waste contains any of the contaminants listed in Table I at a concentration equal to or greater than the respective value given in that Table. Where the waste contains less than 0.5 percent filterable solids as determined by the test procedure described in Appendix II, the waste itself, after filtering, is considered to be the extract for the purposes of this subsection (g) of this section.

(ii) A solid waste that exhibits the characteristic of EP toxicity, but is not listed as a hazardous waste in subsection (h) of this section has the Hazardous Waste Number specified in Table I which corresponds to the toxic contaminant causing it to be hazardous.

Table I  
Maximum Concentration of Contaminants  
for Characteristic of EP Toxicity

Hazardous Waste Number	Contaminant	Maximum Concentration (milligrams per liter)
D004	Arsenic .....	5.0
D005	Barium .....	100.0
D006	Cadmium .....	1.0
D007	Chromium .....	5.0
D008	Lead .....	5.0
D009	Mercury .....	0.2
D010	Selenium .....	1.0
D011	Silver .....	5.0
D012	Endrin (1,2,3,4,10,10-hexachloro-1, 7-epoxy-1,4,4a,5,6,7,8a-octahydro-1, 4-endo, endo-5, 8-dimethano naphthalene) .....	0.02
D013	Lindane (1,2,3,4,5,6-hexachlorocyclohexane, gamma isomer) .....	0.4
D014	Methoxychlor (1,1,1-Trichloro-2,2-bis (p-methoxyphenyl) ethane) .....	10.0
D015	Toxaphene (C <sub>12</sub> H <sub>18</sub> Cl <sub>12</sub> , Technical chlorinated camphene, 67-79 percent chlorine) .....	0.5
D016	2,4-D, (2,4-Dichlorophenoxyacetic acid) .....	10.0
D017	2,4,5-TP Silvex (2,4,5-Trichlorophenoxypropionic acid) .....	1.0

(b) *Lists of hazardous wastes.*

(1) *General.*

(i) A solid waste is a hazardous waste if it is listed in this subsection (h) of this section unless it has been exempted under section 75.260 of this title.

(ii) The basis for listing the classes or types of wastes listed in this subsection (h) is indicated by one or more of the following hazard codes.

- Ignitable Waste (I)
- Corrosive Waste (C)
- Reactive Waste (R)
- EP Toxic Waste (E)
- Acute Hazardous Waste (H)
- Toxic Waste (T)

Appendix VII identifies the waste to be listed as an EP Toxic Waste (E) or Toxic Waste (T) in paragraphs (2) and (3) of this subsection.

(iii) Each hazardous waste listed in this subsection (b) is assigned a Hazardous Waste Number which precedes the name of the waste. This number must be used in complying with the notification requirements and certain recordkeeping and reporting requirements under sections 75.262 — 75.267 of this section.

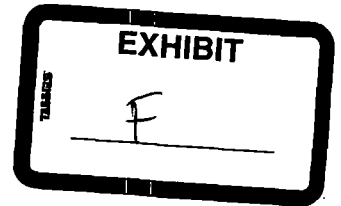
(2) List of hazardous waste from nonspecific sources.

Industry and Hazardous Waste No.	Hazardous waste	Hazard code
<b>Generic:</b>		
F001	The spent halogenated solvents used in degreasing, tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride, and the chlorinated fluorocarbons; and sludges from the recovery of these solvents in degreasing operations.	(T)
F002	The spent halogenated solvents, tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, o-dichlorobenzene, trichlorofluoromethane, and the still bottoms from the recovery of these solvents.	(T)
F003	The spent non-halogenated solvents, xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, n-butyl alcohol, cyclohexanone, and the still bottoms from the recovery of these solvents.	(I)
F004	The spent non-halogenated solvents, cresols and cresylic acid, nitrobenzene, and the still bottoms from the recovery of these solvents.	(T)
F005	The spent non-halogenated solvents, methanol, toluene, methyl ethyl ketone, methyl isobutyl ketone, carbon disulfide, isobutanol, pyridine and the still bottoms from the recovery of these solvents.	(I,T)
F006	Wastewater treatment sludges from electroplating operations.	(T)
F007	Spent plating bath solutions from electroplating operations.	(R,T)
F008	Plating bath sludges from the bottom of plating baths from electroplating operations.	(R,T)
F009	Spent stripping and cleaning bath solutions from electroplating operations.	(R,T)
F010	Quenching bath sludge from oil baths from metal heat treating operations.	(R,T)
F011	Spent solutions from salt bath pot cleaning from metal heat treating operations.	(R,T)
F012	Quenching wastewater treatment sludges from metal heat treating operations.	(T)
F013	Flotation tailings from selective flotation from mineral metals recovery operations.	(T)
F014	Cyanidation wastewater treatment tailing pond sediment from mineral metals recovery operations.	(T)
F015	Spent cyanide bath solutions from mineral metals recovery operations.	(R,T)
F016	Dewatered air pollution control scrubber sludges from coke ovens and blast furnaces.	(T)

(3) List of hazardous waste from specific sources.

Industry and Hazardous Waste No.	Hazardous waste	Hazard code
<b>Wood Preservation:</b>		
K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and/or pentachlorophenol.	(T)
<b>Inorganic Pigments:</b>		
K002	Wastewater treatment sludge from the production of chrome yellow and orange pigments.	(T)
K003	Wastewater treatment sludge from the production of molybdate orange pigments.	(T)
K004	Wastewater treatment sludge from the production of zinc yellow pigments.	(T)
K005	Wastewater treatment sludge from the production of chrome green pigments.	(T)
K006	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).	(T)
K007	Wastewater treatment sludge from the production of iron blue pigments.	(T)
K008	Oven residue from the production of chrome oxide green pigments.	(T)
<b>Organic Chemicals:</b>		
K009	Distillation bottoms from the production of acetaldehyde from ethylene.	(T)
K010	Distillation side cuts from the production of acetaldehyde from ethylene.	(T)
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.	(R,T)

EARLY WASTE ACTIVITY



Prior to the Quarterly Report filing which was first required on April 30, 1981, the following materials were shipped out.

September 16, 1980

368 - 73# Cans (28,864 lbs.) Carbolene Zinc Filler  
Shipped To: Chemical Recovery Systems Inc. (Romulus, Michigan)  
Transporter: Chemical Recovery Systems Inc.

October 9, 1980

6,000 Gal. (Bulk) Waste Hydraulic Oil  
Shipped To: N.S. Marketing Inc (Pittsburgh, Pa.)  
Transporter: Kennywood Automotive, McKeesport, Pa.

November 3, 1980

4,200 Gal. (Bulk) Solvent Waste, NOS. Flammable  
Shipped To: Chemical Recovery Systems Inc. (Romulus, Michigan)  
Transporter: Chemical Recovery Systems Inc.

March 16, 1981

6,000 Gal. (Bulk) Waste Hydraulic Oil  
Shipped To: N.S. Marketing (Pittsburgh, Pa.)  
Transporter: Kennywood Automotive, McKeesport, Pa.

April 14, 1981

526 - 5 Gal. Pails - Enamel Paint (Obsolete)  
Shipped To: N.S. Marketing Inc. (Pittsburgh, Pa.)  
Transporter: N.S. Marketing Inc.

The materials listed above appear to be the types and volumes that were at the 12th Street Plant. Also, these types of materials could have come out of inventory and sold. Therefore, they may not have been held in an impoundment area. This list of materials was taken from old correspondence. No copies of Manifests were available. It is assumed that any copies of Manifests that were retained by Bucyrus-Erie Co., were forwarded to the Traffic Department for processing and filing. The Traffic Department File Records were probably shipped to South Milwaukee since closure of the Erie Plant.

## SURFACE IMPOUNDMENT WASTE MATERIALS

The attached list indicates the distribution of waste materials and location of impoundments that they were stored in, prior to shipment. The three facilities, the Raspberry Street Plant, the 12th Street Plant and Building "C" (or 30), were considered as one plant. The Pennsylvania DER did not require separate facility I.D. numbers for each location. Therefore, when shipment of waste materials were to be picked up, the hauler would stop at each facility as was required. The waste materials were removed from the impoundment area and loaded on the transport vehicle.

It was not recorded from which impoundment area waste materials were removed for disposal. Since the Pennsylvania DER did not require this information breakdown, all records, therefore, identify the materials and its shipping point as Bucyrus-Erie Company, Erie Plant Office Address and Erie Plant I.D. No.

The list of distribution of waste materials and location of impoundments that they were stored in, has been determined by known manufacturing processes which would generate the waste and estimating the volumes of waste from proportionate estimated manufacturing waste generators; also, from locations of inventory material stores and areas that materials were used.

It should be noted that waste materials were shipped for disposal from all three Erie Plant facilities. The total waste material listed on the Quarterly Reports and Manifests reflect the combined waste generated at all three facilities. However, Bucyrus-Erie Company no longer owns Building "C" (or 30) and therefore, that facility's detailed waste and storage facilities information has been neglected.

Copies of Manifests for waste materials that were shipped for disposal were apparently forwarded, at that time, to the Erie Plant Traffic Department for processing and filing. The Traffic Department record files were probably shipped to South Milwaukee Plant since closure of the Erie Plant.

Quarterly Report Date	Shipped To	Manifest No.	Hazardous Class	Hazardous Waste No.	Am't. of Waste	Units of Measure	Description	Amount of Waste (Lbs.)	Impoundment Location
03-31-81	Chemical Recovery Systems Inc.	MT 117303	*	F002	11,070	Lbs.	Dichlorothane (Methy- lene Chloride) Waste from General Cleaning	--- 11,070 ---	Raspberry St. 12th Street Building "C" or 30
06-30-81	Chemical Waste Management Inc.	CWMA 010229 003825 010100 010101	07	F002	58,040	Lbs.	Waste Solvent & Sludge	12,320 24,120 21,800	Raspberry St. 12th Street Building "C" or 30
06-30-81	Chemical Waste Management Inc.	CWMA 003826 010100	07	D001	53,620	Lbs.	Obsolete Enamel Paint	14,000 24,120 15,500	Raspberry St. 12th Street Building "C" or 30
09-30-81	---	---	--	--	None	--	None	--- --- ---	Raspberry St. 12th Street Building "C" or 30
09-30-82	AMO Polution Service Inc.	PA A3790496	*	F002	17,160	Lbs.	Waste Dichloromethane (Waste from General Cleaning)	--- 17,160 ---	Raspberry St. 12th Street Building "C" or 30
03-30-82	AMO Polution Service Inc.	PA A3790496	07	F002	24,640	Lbs.	Waste Solvents & Sludge	5,280 10,560 8,800	Raspberry St. 12th Street Building "C" or 30
03-30-82	AMO Polution Service Inc.	PA A3790496	07	F002	440	Lbs.	Waste Ethyl Acetate	--- 440 ---	Raspberry St. 12th Street Building "C" or 30

\*DOT Hazard Class Not Listed

Quarterly Report Date	Shipped To	Manifest No.	Hazardous Class	Hazardous Waste No.	Am't. of Waste	Units of Measure	Description	Amount of Waste (Lbs.)	Impoundment Location
03-31-83	A1 Chemtron Inc.	PA A1954212	07	D001	7,480	Lbs.	Enamel Paint	880 4,840 1,760	Raspberry St. 12th Street Building "C" or 30
03031083	A1 Chemtron Inc.	PA A1954212	07	D001	14,960	Lbs.	Waste Solvent	1,760 10,120 3,080	Raspberry St. 12th Street Building "C" or 30
03-31-83	A1 Chemtron Inc.	PA A1954212	*	F002	1,320	Lbs.	Waste Dichloromethane	--- 1,320 ---	Raspberry St. 12th Street Building "C" or 30
03-31-83	A1 Chemtron Inc.	PA A1954212	07	D001	2,190	Lbs.	Gelcoat Resin	--- 2,190 ---	Raspberry St. 12th Street Building "C" or 30
03-31-83	A1 Chemtron Inc.	PA A1954223	07	F003	880	Lbs.	Ethyl Acetate	--- 880 ---	Raspberry St. 12th Street Building "C" or 30
03-31-83	A1 Chemtron Inc.	PA A1954223	07	D001	1,760	Lbs.	Waste Water & Foam NOS	--- 1,760 ---	Raspberry St. 12th Street Building "C" or 30
03-31-83	A1 Chemtron Inc.	PA A1954223	07	D001	880	Lbs.	Water/Resin/Gelcoat	--- 880 ---	Raspberry St. 12th Street Building "C" or 30
03-31-83	Safety Kleen	PA A1954190	07	D00K	1,680	Lbs.	Waste Naptha Petroleum	420 840 420	Raspberry St. 12th Street Building "C" or 30

\*DOT Hazard Class Not Listed



[illegible]



## INTRACOMPANY CORRESPONDENCE

BE 450

DATE: November 5, 1980

DJG NOV 5 '80

TO: D. J. Chludzinski

COPIES TO: S. L. Head  
R. A. Vomero  
E. Rogowski  
H. C. Shields  
S. C. Konopka  
P. J. MacIsaac  
J. H. Stumpo  
M. F. Gingenbach

FROM: D. R. Wroblewski

SUBJECT: HAZARDOUS WASTE DISPOSAL ACTIVITIES

On November 3rd, I conducted disposal activities through N. S. Marketing and Chemical Recovery Systems, Inc. Approximately 4,200 gallons of waste solvents were pumped out of 55 gallon drums into a bulk tanker. We will be billed at a cost of \$.10 per gallon (\$420.00). I will not initiate a purchase order until I have discussed reimbursement figures for other wastes we have disposed of with N. S. Marketing.

The last items to be disposed of are the obsolete paint and the empty drums. I will finalize disposal possibilities for the obsolete paint this week and initiate disposal activities. Material Control (Mel Gingenbach) is pursuing the empty drum disposal and will expedite same.

I will keep you posted on further progress.

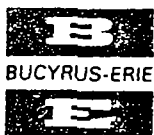
*D. R. Wroblewski*  
D. R. Wroblewski

DRW:ms

RDV NOV 5 '80

*cc: RDV  
D. STRANDERMAN  
D. BRANT*

*For your info  
W. G. Gingenbach  
11/10/80*



## STRAIGHT BILL OF LADING

ORIGINAL - NOT NEGOTIABLE

Shipment Date

12-18-80

EXHIBIT

H

MANIFEST DOCUMENT NUMBER

001

TO: T/S/D FACILITY CHEMICAL RECOVERY SYSTEMS  
E.P.A. ID Code No. MID 060975841  
Address 36345 VAN BORN ROAD  
Destination ROMULUS, Michigan  
Phone 313-326-3100

FROM: Generator BUCYRUS ERIE COMPANY  
E.P.A. ID Code No. PAD 005028733  
Address 1521 RASPBERRY ST.  
Origin ERIE PENNA 16512  
Phone 4519-8000

No. of Shipping Units	DO NOT PROPER SHIPPING NAME	HAZARD CLASS	HAZ. MAT. ID NO.	EPA Hazardous Waste No.	WEIGHT	LABELS REQUIRED (or Exemptions)
1000 GALLONS	DICHLOROMETHANE	ORM-A	UN 1593		11.07 LBS / GAL 11070 LBS	NONE

## PLACARDS REQUIRED

NOTE - Where the rate is dependent on value, shippers are required to specify the agreed or declared value of the property. The shipper is hereby specifically stated by the shipper to be not less than \$1000 per GAL.

Specifically in writing the agreed value of the property

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without receipt or the carrier, the carrier shall not be liable for the shipment without payment of freight and all other lawful charges.

BE CO  
(Signature of Carrier)

FREIGHT CHARGE

PREPAID COLLECT

☐ ☒

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each center of all or any of, said property over all or any portion of said route to destination and as to each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment. Shipper hereby certifies that he is familiar with all the bill of lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

## ALTERNATE DESTINATION (EMERGENCY ONLY) EMERGENCY RESPONSE INFORMATION

T/S/D FACILITY  
E.P.A. ID Code No.  
Address  
Destination

CONTACT Name  
Phone  
National Response Center 1-800-424-8802  
in D. C. 426-2675

## CERTIFICATION

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation and the E.P.A.

Generator Signature *[Signature]* Date 12-18-80

TRANSPORTER #1 CHEMICAL RECOVERY SYSTEMS, INC. E.P.A. ID No. MID 060975841  
Address 36345 VAN BORN ROAD  
City ROMULUS, Michigan State MI Zip 48174 Phone 313-326-3100

Transporter No. 1 This is to certify acceptance of the hazardous waste shipment.  
Signature *[Signature]* Date 12/18/80

TRANSPORTER #2 E.P.A. ID No.  
Address  
City State Zip Phone

Transporter No. 2 This is to certify acceptance of the hazardous waste shipment.  
Signature Date

## TREATMENT/STORAGE/DISPOSAL FACILITY

T/S/D FACILITY This is to certify acceptance of the hazardous waste for treatment, storage, or disposal.  
Signature *[Signature]* Date 12/18/80

ORIGINAL - RETURN TO GENERATOR

7-BLS-C (6)  
BEV

## OR DESCRIPTION AND DISPOSITION OF WASTE (MUST BE FILLED IN BY PRODUCER)

PRODUCER OF WASTE: FACILITY NUMBER PA0 005028733E BUCYRUS-ERIE COMPANYRESS 1521 RASPBERRY ST ERIE PA 16512PRODUCER ORDER NO. SHIPMENT DATE 11 18 80PERSON TO CONTACT D. R. WRUBLEWSKI PHONE 814-459-8000DESCRIPTION OF WASTE (Mandatory) HAZARD CLASS: ORMA, N.O.SSPILLING NAME: (DOT OR EPA) METHYLENE CHLORIDE, DICHLOROMETHANE

SIC CODE	PHYS. STATE	TYPE OF CONTAINER	QUANTITY	UNIT	WASTE TYPE	PERCENT SOLIDS
<u>3531</u>	<u>2</u>	<u>2</u>	<u>11000</u>	<u>2</u>	<u>2</u>	<u>0</u>

ES:

PHYSICAL STATE 1 - SOLID 2 - LIQUID 3 - GAS 4 - SLUDGE

TANKER TYPE 1 - 55 GAL. DRUM 2 - BULK TANK 3 - SELF CONTAINED UNITS 4 - OTHER (Specify) \_\_\_\_\_

1 - CU YDS. 2 - GALLONS 3 - POUNDS

WASTE TYPE (SEE INSTRUCTIONS) 99 - OTHER (Specify) NON FLAMMABLE (CHLORINATED)

## OTHER COMPONENTS (GREATER THAN 1% CONCENTRATION)

## CONCENTRATION

Upper % Lower %

1. <u>METHYLENE DICHLORIDE</u>	<u>CH<sub>2</sub>Cl<sub>2</sub></u>		
2. <u>DICHLOROMETHANE</u>			
3. _____			
4. _____			
5. _____			
6. _____			

THE WASTE CONTAINS ANY OF THE MATERIALS LISTED IN TABLE TWO.

## PARAMETER NO.

## CONCENTRATION

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## EMERGENCY SPILL INFORMATION

UNIT SPILL FROM SPENDING, PUMP UP  
POSS INTO DOT APPROVED CONTAINERS, REMOVE CONTAMINATED  
INTERFACE SOILS IF NECESSARY AND DISPOSE OF PROPERLY

NAME OF HAULER CHEMICAL RECOVERY SYSTEMS INCBUSINESS ADDRESS 36345 VAN BORN ROAD, ROMULUS MICH. 48174NAME OF PROCESSOR SAMEE ADDRESS SAME

## D. GENERATOR CERTIFICATION:

THIS IS TO CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE MATERIALS DESCRIBED IN 1/B ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

NAME & TITLE (Please print)	SIGNATURE	DATE
<u>D. R. WRUBLEWSKI</u>	<u>D. R. Wrubleski</u>	<u>12-18-80</u>

Keep goldenrod copy for your records. Send pink copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48909

## II. HAULER OF WASTE (MUST BE FILLED IN BY HAULER)

A. NAME Chemical Recovery SystemsADDRESS 36345 VAN BORN ROAD ROMULUS MICHTELEPHONE NUMBER (313) 3263100 PICK-UP DATE 12 18 80B. HAULER JOB NUMBER 7645 FACILITY NUMBER MICH-060975844C. VEHICLE LICENSE NO. 656611 STATE Pa

## D. HAULER CERTIFICATION:

THIS IS TO CERTIFY UNDER THE PENALTY OF PERJURY THE WASTE DESCRIBED IN PART 1/B OF THIS MANIFEST OR IN THE ATTACHMENT WAS ACCEPTED BY ME FOR TRANSPORTATION TO THE PROCESSING FACILITY NAMED IN PART 1/C.

NAME AND TITLE (Please print)	SIGNATURE	DATE
<u>FRANK HART</u>	<u>Frank Hart</u>	<u>12/18/80</u>

Keep canary copy for your records.

## III. PROCESSOR OF WASTE (MUST BE FILLED IN BY TREATMENT/STORAGE/DISPOSAL FACILITY)

FACILITY NUMBER MID 060975844

A. NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_ ACCEPTANCE DATE \_\_\_\_\_

## B. PROCESS METHOD:

☐ INCINERATION ☒ RECLAMATION ☐ OTHER (Specify) \_\_\_\_\_

## C. CERTIFICATION:

THE HAULER NAMED ABOVE DELIVERED THE WASTE DESCRIBED IN PART 1/B OF THIS MANIFEST TO THIS PROCESSING FACILITY. IT WAS ACCEPTABLE MATERIAL FOR PROCESSING UNDER THE TERMS OF FEDERAL, STATE, AND LOCAL REGULATIONS. ~~I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.~~

NAME AND TITLE (Please print)	SIGNATURE	DATE
<u>J. A. Heimback</u>	<u>J. A. Heimback</u>	<u>12/18/80</u>

Keep green copy for your records. Send white copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48909

## MICHIGAN DEPARTMENT OF NATURAL RESOURCES — ENVIRONMENTAL PROTECTION BUREAU

Nº 117314

## GENERATOR DESCRIPTION AND DISPOSITION OF WASTE (MUST BE FILLED IN BY PRODUCER)

GENERATOR OF WASTE:

FACILITY NUMBER

P10 005028733

NAME Bucyrus Env. Co.

ADDRESS 1521 Barbey St. Erie, Pa 16512

PRODUCER ORDER NO

SHIPMENT DATE

1/21/80

PERSON TO CONTACT

PHONE

DESCRIPTION OF WASTE (Mandatory)

HAZARD CLASS:

CEM-A

SHIPPING NAME: (DOT OR EPA)

SIC CODE

PHYS. STATE

TYPE OF CONTAINER

QUANTITY

UNIT

WASTE TYPE

PERCENT SOLIDS

CODES:

PHYSICAL STATE 1 - SOLID 2 - LIQUID 3 - GAS 4 - SLUDGE

CONTAINER TYPE 1 - 55 GAL DRUM 2 - BULK TANK 3 - SELF CONTAINED UNITS 4 - OTHER (Specify)

UNIT 1 - CU YDS. 2 - GALLONS 3 - POUNDS

WASTE TYPE (SEE INSTRUCTIONS) 99 - OTHER (Specify) DICHLOROMETHANE

MAJOR COMPONENTS (GRATER THAN 1% CONCENTRATION)

CONCENTRATION

Upper %

Lower %

1.		
2.		
3.		
4.		
5.		
6.		

IF THE WASTE CONTAINS ANY OF THE MATERIALS LISTED IN TABLE TWO.

PARAMETER NO.

CONCENTRATION


EMERGENCY SPILL INFORMATION

NAME OF HAULER

BUSINESS ADDRESS

NAME OF PROCESSOR

TE ADDRESS

Chemical Recovery  
Romulus, Mi.
Same

## D. GENERATOR CERTIFICATION:

THIS IS TO CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE MATERIALS DESCRIBED IN 1/B ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

NAME &amp; TITLE (please print)

SIGNATURE

DATE #

see attached manifest 001

Keep goldenrod copy for your records. Send pink copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48909

## II. HAULER OF WASTE (MUST BE FILLED IN BY HAULER)

A. NAME

Chemical Recovery  
36345 Van Buren Road Romulus, Mi.

TELEPHONE NUMBER

PICK-UP DATE

12/18/80

B. HAULER JOB NUMBER

FACILITY NUMBER

H-101

C. VEHICLE LICENSE NO.

STATE

D. HAULER CERTIFICATION:

THIS IS TO CERTIFY UNDER THE PENALTY OF PERJURY THE WASTE DESCRIBED IN PART 1/B OF THIS MANIFEST OR IN THE ATTACHMENT WAS ACCEPTED BY ME FOR TRANSPORTATION TO THE PROCESSING FACILITY NAMED IN PART 1/C.

NAME AND TITLE (please print)

SIGNATURE

DATE

J.A. Heimlich J.A. Heimlich 12-18-80

Keep canary copy for your records.

## III. PROCESSOR OF WASTE (MUST BE FILLED IN BY TREATMENT/STORAGE/DISPOSAL FACILITY)

FACILITY NUMBER P10 000975844

A. NAME

ADDRESS

TELEPHONE NUMBER

ACCEPTANCE DATE

12/18/80

B. PROCESS METHOD:

☐ INCINERATION

☒ RECLAMATION

☐ OTHER (Specify)

C. CERTIFICATION:

THE HAULER NAMED ABOVE DELIVERED THE WASTE DESCRIBED IN PART 1/B OF THIS MANIFEST TO THIS PROCESSING FACILITY. IT WAS ACCEPTABLE MATERIAL FOR PROCESSING UNDER THE TERMS OF FEDERAL, STATE, AND LOCAL REGULATIONS. I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

NAME AND TITLE (please print)

SIGNATURE

DATE

J.A. Heimlich J.A. Heimlich 12-18-80

Keep green copy for your records. Send white copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48909

ALL SPILLS MUST BE REPORTED TO THE MICHIGAN POLLUTION EMERGENCY ALERTING SYSTEM AT 517-373-7660, 24 HOURS PER DAY

AND THE NATIONAL DEPT. CENTER AT 800.424.0000

UN 15  
GENERATOR DESCRIPTION AND DISPOSITION OF WASTE (MUST BE FILLED IN BY PRODUCER)

A. GENERATOR OF WASTE: FACILITY NUMBER PADO05028733  
 NAME BUCCROS-GRUE COMPANY  
 ADDRESS 1521 RASPBERRY STREET KALE PA 16512  
 PRODUCER ORDER NO. \_\_\_\_\_ SHIPMENT DATE 11/21/80  
 PERSON TO CONTACT D.R. WRUBLEWSKI PHONE 814-451-8006

## B. DESCRIPTION OF WASTE (Mandatory)

HAZARD CLASS: OPM-A NOSSHIPPING NAME: (DOT OR EPA) METHYLENE CHLORIDE WASTE

SIC CODE	PHYS STATE	TYPE OF CONTAINER	QUANTITY	UNIT	WASTE TYPE	PERCENT SOLIDS
<u>3531</u>	<u>2</u>	<u>2</u>	<u>1000</u>	<u>2</u>	<u>1000</u>	<u>0</u>

CODES:

PHYSICAL STATE 1 = SOLID 2 = LIQUID 3 = GAS 4 = SLUDGE  
 CONTAINER TYPE 1 = 55 GAL DRUM 2 = BULK TANK 3 = SELF CONTAINED UNITS 4 = OTHER (Specify) \_\_\_\_\_  
 UNIT 1 = CU YDS 2 = GALLONS 3 = POUNDS  
 WASTE TYPE (SEE INSTRUCTIONS) 99 = OTHER (Specify) \_\_\_\_\_

## MAJOR COMPONENTS (GREATER THAN 1% CONCENTRATION)

CONCENTRATION

Upper % Lower %

1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_  
 5. \_\_\_\_\_  
 6. \_\_\_\_\_

INDICATE IF THE WASTE CONTAINS ANY OF THE MATERIALS LISTED IN TABLE TWO.

PARAMETER NO.

CONCENTRATION

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

EMERGENCY SPILL INFORMATION \_\_\_\_\_

C. NAME OF HAULER CHEMICAL RECOVERY SYSTEMS INC.  
 BUSINESS ADDRESS 36345 VAN BORN ROAD, ROMULUS MICHIGAN 48174  
 NAME OF PROCESSOR SAME  
 SITE ADDRESS SAME

ALL SPILLS MUST BE REPORTED TO THE MICHIGAN POLLUTION EMERGENCY ALERTING SYSTEM AT 517-373-7660, 24 HOURS  
 AND THE NATIONAL RESPONSE CENTER AT 800-424-8802

## D. GENERATOR CERTIFICATION:

THIS IS TO CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE MATERIALS DESCRIBED IN PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED, AND LABELED AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

NAME & TITLE (please print)	SIGNATURE	DATE
<u>D.R. WRUBLEWSKI</u> <u>SUPERINTENDENT</u>	<u>D.R. Wrublewski</u>	<u>11-18-80</u>

Keep goldenrod copy for your records. Send pink copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48206

## II. HAULER OF WASTE (MUST BE FILLED IN BY HAULER)

A. NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TELEPHONE NUMBER \_\_\_\_\_ PICK-UP DATE \_\_\_\_\_

B. HAULER JOB NUMBER \_\_\_\_\_ FACILITY NUMBER \_\_\_\_\_

C. VEHICLE LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_

## D. HAULER CERTIFICATION:

THIS IS TO CERTIFY UNDER THE PENALTY OF PERJURY THE WASTE DESCRIBED IN PART I/B OF THIS MANIFEST IN THE ATTACHMENT WAS ACCEPTED BY ME FOR TRANSPORTATION TO THE PROCESSING FACILITY NAMED I/C.

NAME AND TITLE (please print)	SIGNATURE	DATE
_____	_____	_____

Keep canary copy for your records.

## III. PROCESSOR OF WASTE (MUST BE FILLED IN BY TREATMENT/STORAGE/DISPOSAL FACILITY)

A. NAME \_\_\_\_\_ FACILITY NUMBER \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TELEPHONE NUMBER \_\_\_\_\_ ACCEPTANCE DATE \_\_\_\_\_

## B. PROCESS METHOD:

☐ INCINERATION ☐ RECLAMATION ☐ OTHER (Specify) \_\_\_\_\_

## C. CERTIFICATION:

THE HAULER NAMED ABOVE DELIVERED THE WASTE DESCRIBED IN PART I/B OF THIS MANIFEST TO THIS PROCESSING FACILITY. IT WAS ACCEPTABLE MATERIAL FOR PROCESSING UNDER THE TERMS OF FEDERAL, STATE, AND LOCAL REGULATIONS. I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS CORRECT.

NAME AND TITLE (please print)	SIGNATURE	DATE
_____	_____	_____

Keep green copy for your records. Send white copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48206

EXHIBIT

I

## EXHIBIT

SHIPMENT INDEX

J

FOLDER NO.	DATE	QTY.	DESCRIPTION	FACILITY	TRANSPORTER
80 9 16	9-16-80	28,864 LBS	CARBOLINE ZINC FILLER	CHEMICAL RECOVERY SYS.	CHEMICAL RECOVERY
80 10 9	10-9-80	6000 GALS	HYDRAULIC OIL WASTE	N.S. MARKETING INC.	KENNYWOOD AUTOMOTIVE
80 11 3	11-3-80	4200 GALS	SOLVENT WASTE	CHEMICAL RECOVERY SYS.	CHEMICAL RECOVERY
80 12 18	12-18-80	1000 GALS	WASTE METHYLENE CHLORIDE	CHEMICAL RECOVERY SYS.	CHEMICAL RECOVERY
81 3 16	3-16-81	6000 GALS	HYDRAULIC OIL WASTE	N.S. MARKETING INC.	KENNYWOOD AUTOMOTIVE
81 4 14	4-14-81	2630 GALS	ENAMEL PAINT - OBSOLETE	N.S. MARKETING INC.	N.S. MARKETING
81 5 15	5-15-81	880 GALS 220 GALS	WASTE SOLVENT & SLUDGE OBSOLETE ENAMEL PAINT	CHEMICAL WASTE MGMT. INC.	CHEMICAL WASTE MGMT. INC.
81 5 27	5-27-81	4100 GALS 1870 GALS	WASTE SOLVENT & SLUDGE OBSOLETE ENAMEL PAINT	CHEMICAL WASTE MGMT. INC.	CHEMICAL WASTE MGMT. INC.
81 9 25	9-25-81	2000 GALS	HYDRAULIC OIL WASTE	N.S. MARKETING INC.	N.S. MARKETING
81 10 16	10-16-81	4000 GALS	MISC. OIL WASTE	WISEMAN OIL CORP.	WISEMAN OIL
82 6 8	6-8-82	4000 GALS	MISC. OIL WASTE	PETRO-MARK	PETRO-MARK
82 6 28	6-28-82	2145 GAL 3080 GAL 55 GAL	WASTE METHYLENE CHLORIDE WASTE SOLVENT WASTE ACETATE	PETRO-MARK	AMO POLLUTION SERVICE

BOOK #1



# CHEMICAL RECOVERY SYSTEMS, INC.

36345 VAN BORN ROAD  
ROMULUS MICHIGAN, 48174  
PHONE (313) 326-3100

SOLD TO

N.S. Marketing

PICK  
UP

Bucyrus Erie  
1521 Raseberry  
Erie, PA

EXHIBIT

TRADES

*K*

PERJURY THAT THE MATERIALS DESCRIBED IN 1/B ARE  
AND LABELED AND ARE IN PROPER CONDITION FOR  
IONS OF THE DEPARTMENT OF TRANSPORTATION AND

DATE

TY DIVISION, P.O. BOX 30028, LANSING, MI 48909

DELIVER TO:

DATE 12-17-80	CUST. ORDER NO.	F.O.B. <input type="checkbox"/> COLLECT <input type="checkbox"/> PREPAID	DATE REQUIRED 12-17-8	TRK. OR TANKER#	SHIP VIA CRSI
------------------	-----------------	---	--------------------------	-----------------	------------------

DESCRIPTION	DRUMS	GALS.	PDS.
TT ORH-A NOS NON-FLAMMABLE METHYLENE CHLORIDE FOR RECYCLING	1000		

LOADED AT

OF

GROSS WT.

TARE

NET WT.

UNITS

We hereby certify that these goods were produced in compliance with  
all applicable requirements of Sections 6, 7, and 12 of the Fair Labor  
Standards Act, as amended, and of regulations and orders of the United  
States Department of Labor issued under Section 14 thereof.

RELEASED BY

DRIVER'S SIGNATURE

EMERGENCY SPILL INFORMATION

C. NAME OF HAULER

BUSINESS ADDRESS

NAME OF PROCESSOR

SITE ADDRESS

THE HAULER NAMED ABOVE DELIVERED THE WASTE DESCRIBED IN PART 1/B OF THIS MANIFEST TO THIS PROCESING  
FACILITY. IT WAS ACCEPTABLE MATERIAL FOR PROCESSING UNDER THE TERMS OF FEDERAL, STATE, AND LOCAL  
REGULATIONS. I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND  
CORRECT.

NAME AND TITLE (please print)

SIGNATURE

DATE

Keep green copy for your records. Send white copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48909

ALL SPILLS MUST BE REPORTED TO THE MICHIGAN POLLUTION EMERGENCY ALERTING SYSTEM AT 517-373-7660, 24 HOURS PER DAY  
AND THE NATIONAL RESPONSE CENTER AT 800-424-8802

## OR DESCRIPTION AND DISPOSITION OF WASTE (MUST BE FILLED IN BY PRODUCER)

GENERATOR OF WASTE:

FACILITY NUMBER

NAME

ADDRESS

PRODUCER ORDER NO.

SHIPMENT DATE

mo. da. yr.

PERSON TO CONTACT

PHONE

## B. DESCRIPTION OF WASTE (Mandatory)

HAZARD CLASS:

SHIPPING NAME: (DOT OR EPA)

SIC  
CODEPHYS.  
STATETYPE OF  
CONTAINER

QUANTITY

UNIT

WASTE  
TYPEPERCENT  
SOLIDS

CODES:

PHYSICAL STATE 1 = SOLID 2 = LIQUID 3 = GAS 4 = SLUDGE

CONTAINER TYPE 1 = 55 GAL. DRUM 2 = BULK TANK 3 = SELF CONTAINED UNITS 4 = OTHER (Specify)

UNIT 1 = CU.YDS. 2 = GALLONS 3 = POUNDS

WASTE TYPE (SEE INSTRUCTIONS) 99 = OTHER (Specify)

## MAJOR COMPONENTS (GREATER THAN 1% CONCENTRATION)

CONCENTRATION

Upper % Lower %

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

INDICATE IF THE WASTE CONTAINS ANY OF THE MATERIALS IN TABLE TWO.

PARAMETER NO.

CONCENTRATION

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## EMERGENCY SPILL INFORMATION

C. NAME OF HAULER

BUSINESS ADDRESS

NAME OF PROCESSOR

SITE ADDRESS

ALL SPILLS MUST BE REPORTED TO THE MICHIGAN POLLUTION EMERGENCY ALERTING SYSTEM AT 517-373-7660, 24 HOURS PER DAY  
AND THE NATIONAL RESPONSE CENTER AT 800-424-8802

## D. GENERATOR CERTIFICATION:

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NAME &amp; TITLE (please print)

SIGNATURE

DATE

Keep goldenrod copy for your records. Send pink copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48909

## II. HAULER OF WASTE (MUST BE FILLED IN BY HAULER)

A. NAME

ADDRESS

TELEPHONE NUMBER

PICK-UP DATE

mo. da. yr.

B. HAULER JOB NUMBER

FACILITY NUMBER

C. VEHICLE LICENSE NO.

STATE

## D. HAULER CERTIFICATION:

THIS IS TO CERTIFY UNDER THE PENALTY OF PERJURY THE WASTE DESCRIBED IN PART 1/B OF THIS MANIFEST OR IN THE ATTACHMENT WAS ACCEPTED BY ME FOR TRANSPORTATION TO THE PROCESSING FACILITY NAMED IN PART 1/C.

NAME AND TITLE (please print)

SIGNATURE

DATE

Keep canary copy for your records.

## III. PROCESSOR OF WASTE (MUST BE FILLED IN BY TREATMENT/STORAGE/DISPOSAL FACILITY)

FACILITY NUMBER

A. NAME

ADDRESS

TELEPHONE NUMBER

ACCEPTANCE DATE

mo. da. yr.

## B. PROCESS METHOD:

☐ INCINERATION☐ RECLAMATION☐ OTHER (Specify)

## C. CERTIFICATION:

THE HAULER NAMED ABOVE DELIVERED THE WASTE DESCRIBED IN PART 1/B OF THIS MANIFEST TO THIS PROCESSING FACILITY. IT WAS ACCEPTABLE MATERIAL FOR PROCESSING UNDER THE TERMS OF FEDERAL, STATE, AND LOCAL REGULATIONS. I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

NAME AND TITLE (please print)

SIGNATURE

DATE

Keep green copy for your records. Send white copy to:

DEPARTMENT OF NATURAL RESOURCES, WATER QUALITY DIVISION, P.O. BOX 30028, LANSING, MI 48909

EXHIBIT

L

- 1) materials originally intended to be reprocessed by Chemical Recovery in Michigan, thru Petro Mark.
- 2) Total Charges for this are \$9856<sup>00</sup>

\$50/Drum for disposal	= \$4800	(96 drums x 50)
\$36/Drum for Freight	= \$3456	(96 x 36)
\$80/overpack drum	= \$1600	(purchased 20 overpack x 80)
<hr/>		
\$9856 <sup>00</sup>		

- 3) The initial shipment of methylene Chloride waste to Chemical Recovery was not accepted, due to the majority of the materials being solids and affording little recovery value.
- 4) An alternate disposal facility was found by Petro Mark. This would be final disposal and not reprocessing. All 96 drums are to be handled.
- 5) Now that it is final disposal additional costs will be incurred. An additional charge of \$110/drum will be required.

$$* 110/\text{drum} \times 96 \text{ drums} = \$10560^{00}$$

- 6) Total Cost will now be \$9856<sup>00</sup> + \$10560<sup>00</sup>  
= \$20416<sup>00</sup>

- 7) Payment in full at time of disposal

- 8) Luther Jones from Petro Mark to bring new manifest and paperwork to plant on 6-30-82 and at the same time pick up check.

- 9) The prior paperwork reflects payment of same and manifesting, etc.

EXHIBIT

N

BY-LAWS  
OF  
BUCYRUS INTERNATIONAL, INC.

As Amended:  
November 5, 1997  
December 16, 1998  
August 11, 2000

BY-LAWS  
OF  
BUCYRUS INTERNATIONAL, INC.  
(hereinafter called the "Corporation")

ARTICLE I

OFFICES

Section 1. Registered Office. The registered office of the Corporation shall be in the City of Wilmington, County of New Castle, State of Delaware.

Section 2. Other Offices. The Corporation may also have offices at such other places both within and without the State of Delaware as the Board of Directors may from time to time determine.

ARTICLE II

MEETINGS OF STOCKHOLDERS

Section 1. Place of Meetings. Meetings of the stockholders for the election of directors or for any other purpose shall be held at such time and place, either within or without the State of Delaware as shall be designated from time to time by the Board of Directors and stated in the notice of the meeting or in a duly executed waiver of notice thereof.

Section 2. Annual Meetings. The annual meetings of stockholders shall be held on such date and at such time as shall be designated from time to time by the Board of Directors and stated in the notice of the meeting, at which meetings the stockholders shall elect by a plurality vote a Board of Directors, and transact such other business as may properly be brought before the meeting. Written notice of the annual meeting stating the place, date and hour of the meeting shall be given to each stockholder entitled to vote at such meeting not less than 10 nor more than 60 days before the date of the meeting.

Section 3. Special Meetings. Unless otherwise prescribed by law or by the Certificate of Incorporation, special meetings of stockholders, for any purpose or purposes, may be called by either (i) the Chairman, if there be one, (ii) the President or (iii) the Secretary, and shall be called by any such officer at the request in writing of a majority of the Board of

Directors. Such request shall state the purpose or purposes of the proposed meeting. Written notice of a special meeting stating the place, date and hour of the meeting and the purpose or purposes for which the meeting is called shall be given not less than 10 nor more than 60 days before the date of the meeting to each stockholder entitled to vote at such meeting.

Section 4. Quorum. Except as otherwise prescribed by law or by the Certificate of Incorporation, the holders of a majority of the capital stock issued and outstanding and entitled to vote thereat, present in person or represented by proxy, shall constitute a quorum at all meetings of the stockholders for the transaction of business. If, however, such quorum shall not be present or represented at any meeting of the stockholders, the stockholders entitled to vote thereat, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally noticed. If the adjournment is for more than thirty days, or if after the adjournment a new record date is fixed for the adjourned meeting, a notice of the adjourned meeting shall be given to each stockholder entitled to vote at the meeting in accordance with Section 2 or 3 above.

Section 5. Voting. Unless otherwise prescribed by law, the Certificate of Incorporation or these By-laws, any question brought before any meeting of stockholders shall be decided by the vote of the holders of a majority of the stock represented and entitled to vote thereat. Unless otherwise prescribed by law or the Certificate of Incorporation, each stockholder represented at a meeting of stockholders shall be entitled to cast one vote for each share of the capital stock entitled to vote thereat held by such stockholder. Such votes may be cast in person or by proxy but no proxy shall be voted on or after three years from its date, unless such proxy provides for a longer period. The Board of Directors, in its discretion, or the officer of the Corporation presiding at a meeting of stockholders, in his or her discretion, may require that any votes cast at such meeting shall be cast by written ballot.

Section 6. List of Stockholders Entitled to Vote. The officer of the Corporation who has charge of the stock ledger of the Corporation shall prepare and make, at least 10 days before every meeting of stockholders, a complete list of the stockholders entitled to vote at the meeting, arranged in alphabetical order, and showing the address of each stockholder and the number of shares registered in the name of each stockholder. Such list shall be open to the examination of any stockholder, for any purpose germane to the meeting, during

ordinary business hours, for a period of at least 10 days prior to the meeting, either at a place within the city where the meeting is to be held, which place shall be specified in the notice of the meeting, or, if not so specified, at the place where the meeting is to be held. The list shall also be produced and kept at the time and place of the meeting during the whole time thereof, and may be inspected by any stockholder of the Corporation who is present.

Section 7. Stock Ledger. The stock ledger of the Corporation shall be the only evidence as to who are the stockholders entitled to examine the stock ledger, the list required by Section 6 of this Article II or the books of the Corporation, or to vote in person or by proxy at any meeting of stockholders.

Section 8. Nomination of Directors. Only persons who are nominated in accordance with the following procedures shall be eligible for election as directors of the Corporation. Nominations of persons for election to the Board of Directors may be made at any annual meeting of stockholders (a) by or at the direction of the Board of Directors (or any duly authorized committee thereof) or (b) by any stockholder of the Corporation (i) who is a stockholder of record on the date of the giving of the notice provided for in this Section 8 and on the record date for the determination of stockholders entitled to vote at such annual meeting and (ii) who complies with the notice procedures set forth in this Section 8.

In addition to any other applicable requirements, for a nomination to be made by a stockholder, such stockholder must have given timely notice thereof in proper written form to the Secretary of the Corporation.

To be timely, a stockholder's notice to the Secretary must be delivered to or mailed and received at the principal executive offices of the Corporation not less than 60 days nor more than 90 days prior to the date of the annual meeting of stockholders; provided, however, that in the event that less than 70 days' notice or prior public disclosure of the date of the meeting is given or made, notice by the stockholder to be timely must be so received not later than the close of business on the tenth (10th) day following the day on which such notice of the date of the annual meeting was mailed or such public disclosure of the date of the annual meeting was made, whichever first occurs.

To be in proper written form, a stockholder's notice to the Secretary must set forth (a) as to each person whom the stockholder proposes to nominate for election as a director (i) the name, age, business address and residence address of the person, (ii) the principal occupation or employment of the

person, (iii) the class or series and number of shares of capital stock of the Corporation that are owned beneficially or of record by the person and (iv) any other information relating to the person that would be required to be disclosed in a proxy statement or other filings required to be made in connection with solicitations of proxies for election of directors pursuant to Section 14 of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), and the rules and regulations promulgated thereunder; and (b) as to the stockholder giving the notice (i) the name and record address of such stockholder, (ii) the class or series and number of shares of capital stock of the Corporation that are owned beneficially or of record by such stockholder, (iii) a description of all arrangements or understandings between such stockholder and each proposed nominee and any other person or persons (including their names) pursuant to which the nomination(s) are to be made by such stockholder, (iv) a representation that such stockholder intends to appear in person or by proxy at the meeting to nominate the persons named in its notice and (v) any other information relating to such stockholder that would be required to be disclosed in a proxy statement or other filings required to be made in connection with solicitations of proxies for election of directors pursuant to Section 14 of the Exchange Act and the rules and regulations promulgated thereunder. Such notice must be accompanied by a written consent of each proposed nominee to being named as a nominee and to serve as a director if elected.

No person shall be eligible for election as a director of the Corporation unless nominated in accordance with the procedures set forth in this Section 8. If the Chairman of the meeting determines that a nomination was not made in accordance with the foregoing procedures, the Chairman shall declare to the meeting that the nomination was defective and such defective nomination shall be disregarded.

Section 9. Business at Annual Meetings. No business may be transacted at an annual meeting of stockholders, other than business that is either (a) specified in the notice of meeting (or any supplement thereto) given by or at the direction of the Board of Directors (or any duly authorized committee thereof), (b) otherwise properly brought before the annual meeting by or at the direction of the Board of Directors (or any duly authorized committee thereof) or (c) otherwise properly brought before the annual meeting by any stockholder of the Corporation (i) who is a stockholder of record on the date of the giving of the notice provided for in this Section 9 and on the record date for the determination of stockholders entitled to vote at such annual meeting and (ii) who complies with the notice procedures set forth in this Section 9.

In addition to any other applicable requirements, for business to be properly brought before an annual meeting by a



stockholder, such stockholder must have given timely notice thereof in proper written form to the Secretary of the Corporation.

To be timely, a stockholder's notice to the Secretary must be delivered to or mailed and received at the principal executive offices of the Corporation not less than 60 days nor more than 90 days prior to the date of the annual meeting of stockholders; provided, however, that in the event that less than 70 days' notice or prior public disclosure of the date of the meeting be given or made, notice by the stockholder to be timely must be so received not later than the close of business on the tenth (10th) day following the day on which such notice of the date of the annual meeting was mailed or such public disclosure of the date of the annual meeting was made, whichever first occurs.

To be in proper written form, a stockholder's notice to the Secretary must set forth as to each matter such stockholder proposes to bring before the annual meeting (i) a brief description of the business desired to be brought before the annual meeting and the reasons for conducting such business at the annual meeting, (ii) the name and record address of such stockholder, (iii) the class or series and number of shares of capital stock of the Corporation that are owned beneficially or of record by such stockholder, (iv) a description of all arrangements or understandings between such stockholder and any other person or persons (including their names) in connection with the proposal of such business by such stockholder and any material interest of such stockholder in such business and (v) a representation that such stockholder intends to appear in person or by proxy at the annual meeting to bring such business before the meeting.

No business shall be conducted at the annual meeting of stockholders except business brought before the annual meeting in accordance with the procedures set forth in this Section 9, provided, however, that, once business has been properly brought before the annual meeting in accordance with such procedures, nothing in this Section 9 shall be deemed to preclude discussion by any stockholder of any such business. If the Chairman of an annual meeting determines that business was not properly brought before the annual meeting in accordance with the foregoing procedures, the Chairman shall declare to the meeting that the business was not properly brought before the meeting and such business shall not be transacted.

## ARTICLE III

### DIRECTORS

Section 1. Number and Election of Directors. The Board of Directors shall consist of seven (7) directors or such other greater or lesser number as shall be fixed from time to time by further resolution of this Board of Directors. Except as provided in Section 2 of this Article III, directors shall be elected by a plurality of the votes cast at annual meetings of stockholders, and each director so elected shall hold office until the next annual meeting and until his or her successor is duly elected and qualified, or until his or her earlier death, resignation or removal. Any director may resign at any time upon notice to the Corporation. Directors need not be stockholders.

Section 2. Vacancies. Any vacancy on the Board of Directors that results from an increase in the number of directors may be filled by a majority of the Board of Directors then in office, provided that a quorum is present, and any other vacancy occurring in the Board of Directors may be filled by a majority of the directors then in office, even if less than a quorum, or by a sole remaining director. Any director of any class elected to fill a vacancy resulting from an increase in such class shall hold office for a term that shall coincide with the remaining term of that class. Any director elected to fill a vacancy not resulting from an increase in the number of directors shall have the same remaining term as his or her predecessor. Directors of the Corporation may be removed by the stockholders of the Corporation only for cause.

Section 3. Duties and Powers. The business of the Corporation shall be managed by or under the direction of the Board of Directors which may exercise all such powers of the Corporation and do all such lawful acts and things as are not by statute or by the Certificate of Incorporation or by these By-laws directed or required to be exercised or done by the stockholders.

Section 4. Meetings. The Board of Directors of the Corporation may hold meetings, both regular and special, either within or without the State of Delaware. Regular meetings of the Board of Directors may be held without notice at such time and at such place as may from time to time be determined by the Board of Directors. Special meetings of the Board of Directors may be called by the Chairman, if there be one, the President, or by a majority of the directors then in office. Notice thereof stating the place, date and hour of the meeting shall be given to each director either by mail not less than forty-eight (48) hours before the date of the meeting, by telephone or telegram on twenty-four (24) hours' notice, or on such shorter notice as the

person or persons calling such meeting may deem necessary or appropriate in the circumstances.

Section 5. Quorum. Except as otherwise prescribed by law, the Certificate of Incorporation or these By-laws, at all meetings of the Board of Directors, a majority of the entire Board of Directors shall constitute a quorum for the transaction of business and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board of Directors. If a quorum shall not be present at any meeting of the Board of Directors, the directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

Section 6. Actions of Board. Unless otherwise prescribed by the Certificate of Incorporation or these By-laws, any action required or permitted to be taken at any meeting of the Board of Directors or of any committee thereof may be taken without a meeting, if all the members of the Board of Directors or committee, as the case may be, consent thereto in writing, and the writing or writings are filed with the minutes of proceedings of the Board of Directors or committee.

Section 7. Meetings by Means of Conference Telephone. Unless otherwise prescribed by the Certificate of Incorporation or these By-laws, members of the Board of Directors of the Corporation, or any committee designated by the Board of Directors, may participate in a meeting of the Board of Directors or such committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in a meeting pursuant to this Section 7 shall constitute presence in person at such meeting.

Section 8. Compensation. The directors may be paid their expenses, if any, of attendance at each meeting of the Board of Directors and may be paid, in cash or stock of the Corporation, a fixed sum for attendance at each meeting of the Board of Directors or a stated salary as a director. No such payment shall preclude any director from serving the Corporation in any other capacity and receiving compensation therefor. Members of special or standing committees may be allowed like compensation for attending committee meetings.

Section 9. Interested Directors. No contract or transaction between the Corporation and one or more of its directors or officers, or between the Corporation and any other corporation, partnership, association, or other organization in which one or more of its directors or officers are directors or officers, or have a financial interest, shall be void or voidable solely for this reason, or solely because the director or officer

is present at or participates in the meeting of the Board of Directors or committee thereof which authorizes the contract or transaction, or solely because his or their votes are counted for such purpose if (i) the material facts as to his or their relationship or interest and as to the contract or transaction are disclosed or are known to the Board of Directors or the committee, and the Board of Directors or committee in good faith authorizes the contract or transaction by the affirmative votes of a majority of the disinterested directors, even though the disinterested directors be less than a quorum; or (ii) the material facts as to his or their relationship or interest and as to the contract or transaction are disclosed or are known to the stockholders entitled to vote thereon, and the contract or transaction is specifically approved in good faith by vote of the stockholders; or (iii) the contract or transaction is fair as to the Corporation as of the time it is authorized, approved or ratified, by the Board of Directors, a committee thereof or the stockholders. Common or interested directors may be counted in determining the presence of a quorum at a meeting of the Board of Directors or of a committee which authorizes the contract or transaction.

#### ARTICLE IV

##### OFFICERS

Section 1. General. The officers of the Corporation shall be chosen by the Board of Directors and shall be a President, a Secretary and a Treasurer. The Board of Directors, in its discretion, may also choose a Chairman of the Board of Directors (who must be a director) and one or more Vice Presidents, Assistant Secretaries, Assistant Treasurers and other officers. Any number of offices may be held by the same person, unless otherwise prohibited by law, the Certificate of Incorporation or these By-laws. The officers of the Corporation need not be stockholders of the Corporation nor, except in the case of the Chairman of the Board of Directors, need such officers be directors of the Corporation.

Section 2. Election. The Board of Directors at its first meeting held after each annual meeting of stockholders shall elect the officers of the Corporation who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Board of Directors; and all officers of the Corporation shall hold office until their successors are chosen and qualified, or until their earlier death, resignation or removal. Any officer elected by the Board of Directors may be removed at any time by the affirmative vote of a majority of the Board of Directors. Any vacancy occurring in any office of the Corporation shall be filled by the Board of Directors. The salaries of all officers of the Corporation shall be fixed by the Board of Directors.

Section 3. Voting Securities Owned by the Corporation.

Powers of attorney, proxies, waivers of notice of meeting, consents and other instruments relating to securities owned by the Corporation may be executed in the name of and on behalf of the Corporation by the President or any Vice President and any such officer may, in the name of and on behalf of the Corporation, take all such action as any such officer may deem advisable to vote in person or by proxy at any meeting of security holders of any corporation in which the Corporation may own securities and at any such meeting shall possess and may exercise any and all rights and power incident to the ownership of such securities and which, as the owner thereof, the Corporation might have exercised and possessed if present. The Board of Directors may, by resolution, from time to time confer like powers upon any other person or persons.

Section 4. Chairman of the Board of Directors.

The Chairman of the Board of Directors, if there be one, shall preside at all meetings of the stockholders and of the Board of Directors. The Chairman of the Board of Directors shall be the Chief Executive Officer of the Corporation, and except where by law the signature of the President is required, the Chairman of the Board of Directors shall possess the same power as the President to sign all contracts, certificates and other instruments of the Corporation which may be authorized by the Board of Directors. During the absence or disability of the President, the Chairman of the Board of Directors shall exercise all the powers and discharge all the duties of the President. The Chairman of the Board of Directors shall also perform such other duties and may exercise such other powers as from time to time may be assigned to him or her by these By-laws or by the Board of Directors.

Section 5. President.

The President shall, subject to the control of the Board of Directors and, if there be one, the Chairman of the Board of Directors, have general supervision of the business of the Corporation and shall see that all orders and resolutions of the Board of Directors are carried into effect. The President shall execute all bonds, mortgages, contracts and other instruments of the Corporation requiring a seal, under the seal of the Corporation, except where required or permitted by law to be otherwise signed and executed and except that the other officers of the Corporation may sign and execute documents when so authorized by these By-laws, the Board of Directors or the President. In the absence or disability of the Chairman of the Board of Directors, or if there be none, the President shall preside at all meetings of the stockholders and the Board of Directors. If there be no Chairman of the Board of Directors, the President shall be the Chief Executive Officer of the Corporation. The President shall also perform such other duties

and may exercise such other powers as from time to time may be assigned to him or her by these By-laws or by the Board of Directors.

Section 6. Vice Presidents. At the request of the President or in the President's absence or in the event of the President's inability or refusal to act (and if there be no Chairman of the Board of Directors), the Vice President or the Vice Presidents if there is more than one (in the order designated by the Board of Directors) shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Each Vice President shall perform such other duties and have such other powers as the Board of Directors from time to time may prescribe. If there be no Chairman of the Board of Directors and no Vice President, the Board of Directors shall designate the officer of the Corporation who, in the absence of the President or in the event of the inability or refusal of the President to act, shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President.

Section 7. Secretary. The Secretary shall attend all meetings of the Board of Directors and all meetings of stockholders and record all the proceedings thereat in a book or books to be kept for that purpose; the Secretary shall also perform like duties for the standing committees when required. The Secretary shall give, or cause to be given, notice of all meetings of the stockholders and special meetings of the Board of Directors, and shall perform such other duties as may be prescribed by the Board of Directors or the President, under whose supervision the Secretary shall be. If the Secretary shall be unable or shall refuse to cause to be given notice of all meetings of the stockholders and special meetings of the Board of Directors, and if there be no Assistant Secretary, then either the Board of Directors or the President may choose another officer to cause such notice to be given. The Secretary shall have custody of the seal of the Corporation and the Secretary or any Assistant Secretary, if there be one, shall have authority to affix the same to any instrument requiring it and when so affixed, it may be attested by the signature of the Secretary or by the signature of any such Assistant Secretary. The Board of Directors may give general authority to any other officer to affix the seal of the Corporation and to attest the affixing by his signature. The Secretary shall see that all books, reports, statements, certificates and other documents and records required by law to be kept or filed are properly kept or filed, as the case may be.

Section 8. Treasurer. The Treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements in books

belonging to the Corporation and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors. The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board of Directors, taking proper vouchers for such disbursements, and shall render to the President and the Board of Directors, at its regular meetings, or when the Board of Directors so requires, an account of all transactions as Treasurer and of the financial condition of the Corporation. If required by the Board of Directors, the Treasurer shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of the duties of the office of the Treasurer and for the restoration to the Corporation, in case of his or her death, resignation, retirement or removal from office, of all books, papers, vouchers, money and other property of whatever kind in his possession or under his or her control belonging to the Corporation.

Section 9. Assistant Secretaries. Except as may be otherwise provided in these By-laws, Assistant Secretaries, if there be any, shall perform such duties and have such powers as from time to time may be assigned to them by the Board of Directors, the President, any Vice President, if there be one, or the Secretary, and in the absence of the Secretary or in the event of his or her disability or refusal to act, shall perform the duties of the Secretary, and when so acting, shall have all the powers of and be subject to all the restrictions upon the Secretary.

Section 10. Assistant Treasurers. Assistant Treasurers, if there be any, shall perform such duties and have such powers as from time to time may be assigned to them by the Board of Directors, the President, any Vice President, if there be one, or the Treasurer, and in the absence of the Treasurer or in the event of his or her disability or refusal to act, shall perform the duties of the Treasurer, and when so acting, shall have all the powers of and be subject to all the restrictions upon the Treasurer. If required by the Board of Directors, an Assistant Treasurer shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of the duties of the office of Assistant Secretary and for the restoration to the Corporation, in case of his death, resignation, retirement or removal from office, of all books, papers, vouchers, money and other property of whatever kind in his or her possession or under his or her control belonging to the Corporation.

Section 11. Other Officers. Such other officers as the Board of Directors may choose shall perform such duties and have such powers as from time to time may be assigned to them by the Board of Directors. The Board of Directors may delegate to

any other officer of the Corporation the power to choose such other officers and to prescribe their respective duties and powers.

## ARTICLE V

### COMMITTEES

Section 1. Executive. The Board of Directors may, by resolution passed by a majority of the entire Board of Directors, designate an Executive Committee of the Board of Directors. The Executive Committee shall consist of not less than three members of the Board, one of whom shall be the Chairman of the Board. One member shall be designated as chairman by the Board. During the intervals between meetings of the Board of Directors and subject to such limitations as provided by law or by resolution of the Board, the Committee shall possess and may exercise all powers and authority of the Board of Directors in the management and direction of the affairs of the Corporation as shall be permitted by applicable law. The Committee shall keep minutes of its proceedings, and all action by the Committee shall be reported at the next meeting of the Board of Directors.

Section 2. Audit Committee. The Board of Directors may, by resolution passed by a majority of the entire Board of Directors, designate an Audit Committee of the Board of Directors. The Audit Committee shall consist of one or more members of the Board, none of whom shall be an officer of the Corporation or any of its subsidiaries. One member shall be designated as chairman by the Board. The Committee shall recommend to the Board the conditions, compensation and term of appointment of independent certified public accountants for the auditing of the books and accounts of the Corporation and its subsidiaries. From time to time, as considered necessary and desirable, the Committee shall confer with such accountants for the exchanging of views relating to the scope and results of the auditing books and accounts of the Corporation and its subsidiaries and shall provide to the Board such assistance as may be required with respect to the corporate and reporting practices of the Corporation. The Committee shall perform such other duties as the Board may prescribe.

Section 3. Compensation Committee. The Board of Directors may, by resolution passed by a majority of the entire Board of Directors, designate a Compensation Committee of the Board of Directors. The Compensation Committee shall consist of one or more members of the Board, none of whom shall be an officer of the Corporation or any of its subsidiaries. No person may be a member of this Committee who is, or within one year prior to his appointment to the Committee was, eligible for selection as a person to whom stock (or other "equity



securities," as defined for purposes of Section 16(b) of Exchange Act) may be allocated or to whom stock options or stock appreciation rights may be granted pursuant to any such plan of the Company or its "affiliates" (as defined for purposes of Section 16(b) of the Exchange Act) entitling the participants therein to acquire stock, stock options or stock appreciation rights (or other equity securities) of the issuer or any of its affiliates (other than any plan which is treated as a "formula plan" under Section 16(b) of the Exchange Act). Further, no person may be a member of this Committee except individuals who are "outside directors" within the meaning of Section 162(m) of the Internal Revenue Code of 1986, as amended. One member shall be designated as chairman by the Board. The Committee shall determine the nature and amount of compensation of all senior officers of the Corporation. As may be prescribed by the Board of Directors, the Committee shall administer any stock option or other long term incentive plan of the Corporation and perform other prescribed duties.

Section 4. Nominating Committee. The Board of Directors may, by resolution passed by a majority of the entire Board of Directors, designate a Nominating Committee of the Board of Directors. The Nominating Committee shall consist of one or more members of the Board. One member shall be designated as chairman by the Board. The Committee shall recommend to the Board nominees for election as directors, and shall perform such other duties as the Board may prescribe.

## ARTICLE VI

### STOCK

Section 1. Form of Certificates. Every holder of stock in the Corporation shall be entitled to have a certificate signed, in the name of the Corporation (i) by the Chairman of the Board of Directors, the President or a Vice President and (ii) by the Treasurer or an Assistant Treasurer, or the Secretary or an Assistant Secretary of the Corporation, certifying the number of shares owned by such stockholder in the Corporation.

Section 2. Signatures. When a certificate is countersigned by (i) a transfer agent other than the Corporation or its employees, or (ii) a registrar other than the Corporation or its employees, any other signature on a certificate may be a facsimile. In case any officer, transfer agent or registrar who has signed or whose facsimile signature has been placed upon a certificate shall have ceased to be such officer, transfer agent or registrar before such certificate is issued, it may be issued by the Corporation with the same effect as if he were such officer, transfer agent or registrar at the date of issue.

Section 3. Lost Certificates. The Board of Directors may direct a new certificate to be issued in place of any certificate theretofore issued by the Corporation alleged to have been lost, stolen or destroyed, upon the making of an affidavit of that fact by the person claiming the certificate of stock to be lost, stolen or destroyed. When authorizing such issue of a new certificate, the Board of Directors may, in its discretion and as a condition precedent to the issuance thereof, require the owner of such lost, stolen or destroyed certificate, or his legal representative, to advertise the same in such manner as the Board of Directors shall require and/or to give the Corporation a bond in such sum as it may direct as indemnity against any claim that may be made against the Corporation with respect to the certificate alleged to have been lost, stolen or destroyed.

Section 4. Transfers. Stock of the Corporation shall be transferable in the manner prescribed by law and in these By-laws. Transfers of stock shall be made on the books of the Corporation only by the person named in the certificate or by his attorney lawfully constituted in writing and upon the surrender of the certificate therefor, which shall be cancelled before a new certificate shall be issued.

Section 5. Record Date. In order that the Corporation may determine the stockholders entitled to notice of or to vote at any meeting of stockholders or any adjournment thereof, or entitled to express consent to corporate action in writing without a meeting, or entitled to receive payment of any dividend or other distribution or allotment of any rights, or entitled to exercise any rights in respect of any change, conversion or exchange of stock, or for the purpose of any other lawful action, the Board of Directors may fix, in advance, a record date, which shall not be more than 60 days nor less than 10 days before the date of such meeting, nor more than 60 days prior to any other action. A determination of stockholders of record entitled to notice of or to vote at a meeting of stockholders shall apply to any adjournment of the meeting; provided, however, that the Board of Directors may fix a new record date for the adjourned meeting.

Section 6. Beneficial Owners. The Corporation shall be entitled to recognize the exclusive right of a person registered on its books as the owner of shares to receive dividends, and to vote as such owner, and shall not be bound to recognize any equitable or other claim to or interest in such share or shares on the part of any other person, whether or not it shall have express or other notice thereof, except as otherwise required by law.

## ARTICLE VII

### NOTICES

Section 1. Notices. Whenever written notice is required by law, the Certificate of Incorporation or these By-laws, to be given to any director, member of a committee or stockholder, such notice may be given by mail, addressed to such director, member of a committee or stockholder, at such person's address as it appears on the records of the Corporation, with postage thereon prepaid, and such notice shall be deemed to be given at the time when the same shall be deposited in the United States mail. Written notice may also be given personally or by telegram, telex, cable or confirmed facsimile.

Section 2. Waivers of Notice. Whenever any notice is required by law, the Certificate of Incorporation or these By-laws, to be given to any director, member of a committee or stockholder, a waiver thereof in writing, signed, by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent thereto.

## ARTICLE VIII

### GENERAL PROVISIONS

Section 1. Dividends. Dividends upon the capital stock of the Corporation, subject to the provisions of the Certificate of Incorporation, if any, may be declared by the Board of Directors at any regular or special meeting, and may be paid in cash, in property, or in shares of capital stock. Before payment of any dividend, there may be set aside out of any funds of the Corporation available for dividends such sum or sums as the Board of Directors from time to time, in its absolute discretion, deems proper as a reserve or reserves to meet contingencies, or for equalizing dividends, or for repairing or maintaining any property of the Corporation, or for any proper purpose, and the Board of Directors may modify or abolish any such reserve.

Section 2. Disbursements. All checks or demands for money and notes of the Corporation shall be signed by such officer or officers or such other person or persons as the Board of Directors may from time to time designate.

Section 3. Fiscal Year. The fiscal year of the Corporation shall be fixed by resolution of the Board of Directors.

Section 4. Corporate Seal. The corporate seal shall have inscribed thereon the name of the Corporation, the year of

its organization and the words "Corporate Seal, Delaware". The seal may be used by causing it or a facsimile thereof to be impressed or affixed or reproduced or otherwise.

## ARTICLE IX

### AMENDMENTS

Section 1. These By-laws may be altered, amended or repealed, in whole or in part, or new By-laws may be adopted by the stockholders or by the Board of Directors, provided, however, that notice of such alteration, amendment, repeal or adoption of new By-laws be contained in the notice of such meeting of stockholders or Board of Directors as the case may be. All such amendments must be approved by either the holders of a majority of the outstanding capital stock entitled to vote thereon or by a majority of the entire Board of Directors then in office.

Section 2. Entire Board of Directors. As used in this Article IX and in these By-laws generally, the term "entire Board of Directors" means the total number of directors which the Corporation would have if there were no vacancies.

## ARTICLE X

### INDEMNIFICATION

Section 10.1 indemnification and Insurance. (A) Each person who was or is made a party or is threatened to be made a party to or is otherwise involved in any action, suit or proceeding, whether civil, criminal, administrative or investigative (hereinafter a "proceeding"), by reason of the fact that he or she or a person of whom he or she is the legal representative is or was a director or officer of the Corporation or is or was serving at the request of the Corporation as a director, officer, employee or agent of any other corporation or of a partnership, joint venture, trust or other enterprise, including service with respect to any employee benefit plan (hereinafter an "indemnatee"), whether the basis of such proceeding is alleged action in an official capacity as a director, officer, employee or agent or in any other capacity while serving as a director, officer, employee or agent, shall be indemnified and held harmless by the Corporation to the fullest extent authorized by the Delaware General Corporations Law (the "GCL") as the same exists or may hereafter be amended (but, in the case of any such amendment, only to the extent that such amendment permits the Corporation to provide broader indemnification rights than said law permitted the Corporation to provide prior to such amendment), against all expense, liability and loss (including, without limitation, attorneys' fees, judgements, fines, excise taxes or penalties under the Employee

Retirement Income Security Act of 1974, as amended, and amounts paid or to be paid in settlement) reasonably incurred by such indemnitee in connection therewith; provided, however, that, except as provided in paragraph (C) of this By-law with respect to proceedings seeking to enforce rights to indemnification, the Corporation shall indemnify any such indemnitee seeking indemnification in connection with a proceeding (or part thereof) initiated by such indemnitee only if such proceeding (or part thereof) was authorized by the Board of Directors.

(B) The right to indemnification conferred in paragraph (A) of this By-law shall include the right to be paid by the Corporation the expenses (including attorneys' fees) incurred in defending any such proceeding in advance of its final disposition (hereinafter an "advancement of expenses"); provided, however, that, if the GCL requires, an advancement of expenses incurred by an indemnitee in his or her capacity as a director or officer (and not in any other capacity in which service was or is rendered by such indemnitee, including, without limitation, service to an employee benefit plan) shall be made only upon delivery to the Corporation of an undertaking (hereinafter an "undertaking"), by or on behalf of such indemnitee, to repay all amounts so advanced if it shall ultimately be determined by final judicial decision from which there is no further right to appeal (hereinafter a "final adjudication") that such indemnitee is not entitled to be indemnified for such expenses under this paragraph (B) or otherwise.

(C) If a claim under paragraphs (A) or (B) of this By-law is not paid in full by the Corporation within thirty days after a written claim has been received by the Corporation, except in the case of a claim for an advancement of expenses, in which case the applicable period shall be twenty days, the indemnitee may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim. If successful in whole or in part in any such suit, the indemnitee shall be entitled to be paid also the expense of prosecuting or defending such suit. In (i) any suit brought by the indemnitee to enforce a right to indemnification hereunder (but not in a suit brought by the indemnitee to enforce a right of an advancement of expenses) it shall be a defense that, and (ii) in any suit brought by the Corporation to recover an advancement of expenses pursuant to the terms of an undertaking, the Corporation shall be entitled to recover such expenses upon a final adjudication that, the indemnitee has not met any applicable standard for indemnification set forth in the GCL. Neither the failure of the Corporation (including its Board of Directors, independent legal counsel or stockholders) to have made a determination prior to the commencement of such action that indemnification of the indemnitee is proper in the circumstances cause the indemnitee has met the applicable standard of conduct set forth in the GCL, nor an actual determination by the Corporation (including its

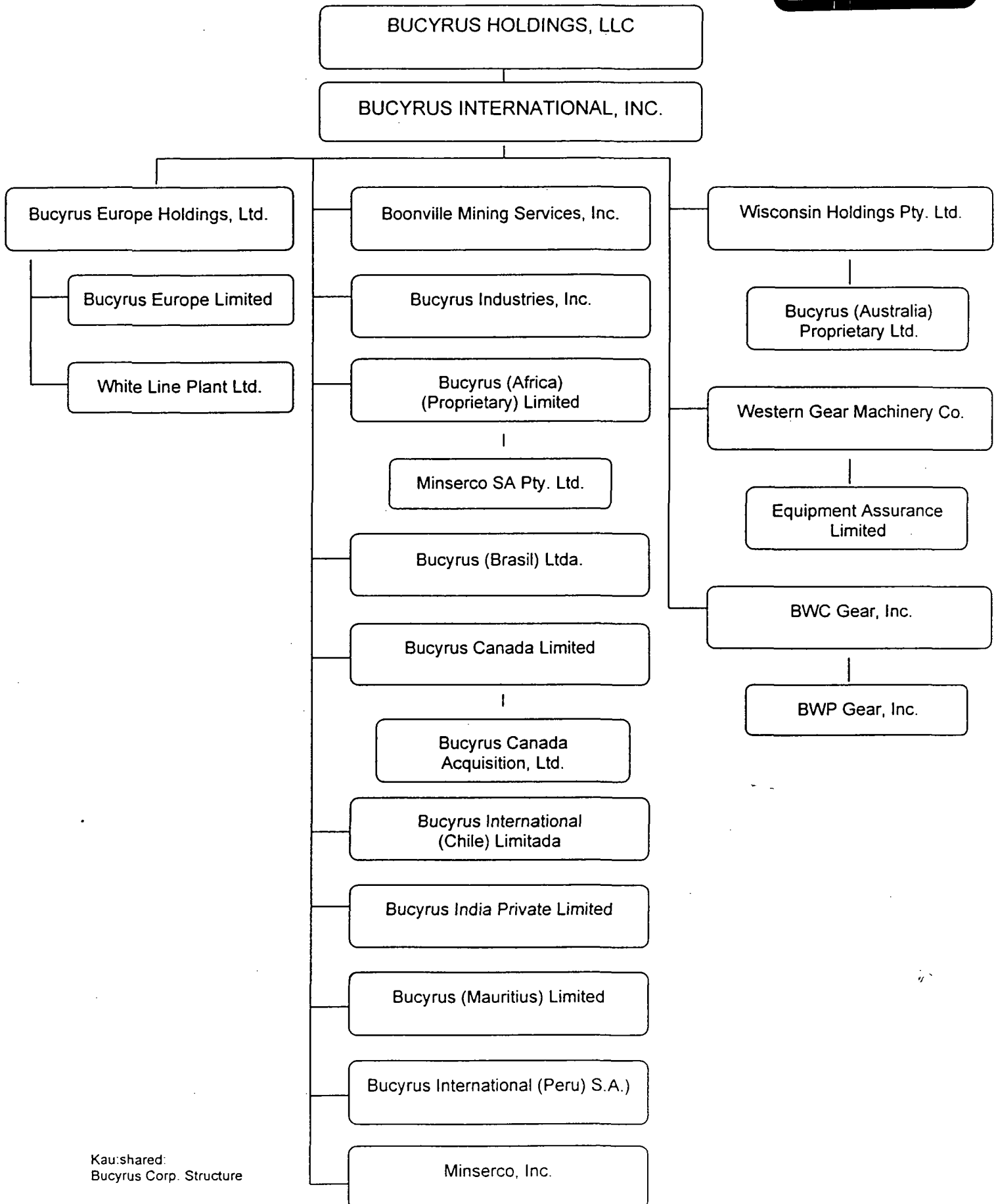
Board of Directors, independent legal counsel or stockholders) that the indemnitee has not met such applicable standard of conduct shall create a presumption that the indemnitee has not met the applicable standard of conduct or, in the case of such a suit brought by the indemnitee, be a defense to such suit. In any suit brought by the indemnitee to enforce a right to indemnification or to an advancement of expenses hereunder, or brought by the Corporation to recover an advancement of expenses pursuant to the terms of an undertaking, the burden of proving that the indemnitee is not entitled to be indemnified, or to such advancement of expenses, under this By-law or otherwise shall be on the Corporation.

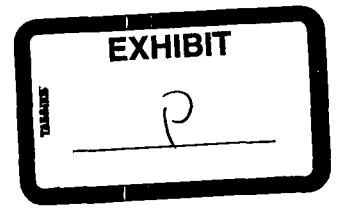
(D) The right to indemnification and the advancement of expenses conferred in this By-law shall not be exclusive of any other right which any person may have or hereafter acquire under any statute, provision of the Certificate of Incorporation, provision of these By-laws, agreement, vote of stockholders or disinterested directors or otherwise.

(E) The Corporation may maintain insurance, at its expense, to protect itself and any director, officer, employee or agent of the Corporation or another corporation, partnership, joint venture, trust or other enterprise against any expense, liability or loss, whether or not the Corporation would have the power to indemnify such person against such expense, liability or loss under the GCL.

(F) The Corporation may, to the extent authorized from time to time by the Board of directors, grant rights to indemnification, and rights to the advancement of expenses, to any employee or agent of the Corporation to the fullest extent of the provisions of this By-law with respect to the indemnification and advancement of expenses of directors and officers of the Corporation.

(G) The rights to indemnification and to the advancement of expenses conferred in paragraphs (A) and (B) of this By-law shall be contract rights and such rights shall continue as to an indemnitee who has ceased to be a director, officer, employee or agent and shall inure to the benefit of the indemnitee's heirs, executors and administrators.

BUCYRUS INTERNATIONAL, INC.  
CORPORATE STRUCTURE



**RESTATED CERTIFICATE OF INCORPORATION**

**OF**

**BUCYRUS INTERNATIONAL, INC.**

**Amended:**  
**03/17/98**  
**12/23/98**



RESTATED CERTIFICATE OF INCORPORATION

OF

BUCYRUS INTERNATIONAL, INC.

FIRST: The name of the Corporation is Bucyrus International, Inc. (hereinafter the "Corporation").

SECOND: The address of the registered office of the Corporation in the State of Delaware is 1209 Orange Street, in the City of Wilmington, County of New Castle. The name of its registered agent at that address is The Corporation Trust Company.

THIRD: The purpose of the Corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of the State of Delaware as set forth in Title 8 of the Delaware Code (the "GCL").

FOURTH: (1) The total number of shares of stock which the Corporation shall have authority to issue is One Million Seven Hundred Thousand (1,700,000) shares of Common Stock, par value \$0.01 per share.

(2) Each share of Common Stock of the Corporation held of record on the day preceding the filing date (within the meaning of Section 103 of the General Corporation Law of the State of Delaware) of this Amendment with the Secretary of State of the State of Delaware shall be and hereby is automatically reclassified and converted, without further action, into One Thousand Six Hundred (1,600) shares of Common Stock of the Corporation.

FIFTH: The following provisions are inserted for the management of the business and the conduct of the affairs of the Corporation, and for further definition, limitation and regulation of the powers of the Corporation and of its directors and stockholders:

(1) The business and affairs of the Corporation shall be managed by or under the direction of the Board of Directors.

(2) The directors shall have concurrent power with the stockholders to make, alter, amend, change, add to or repeal the By-Laws of the Corporation.

(3) The number of directors of the Corporation shall be as from time to time fixed by, or in the manner provided in, the By-Laws of the Corporation. Election of officers need not be by written ballot unless the By-Laws so provide.

(4) No director shall be personally liable to the Corporation or any of its stockholders for monetary damages for breach of fiduciary duty as a director, except for liability (i) for any breach of the director's duty of loyalty to the Corporation or its stockholders; (ii) for acts or omissions not in good faith or which involved intentional misconduct or a knowing violation of law, (iii) pursuant to Section 174 of the GCL or (iv) for any transaction from which the director derived an improper personal benefit. Any repeal or modification of this Article FIFTH by the stockholders of the Corporation shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification with respect to acts or omissions occurring prior to such repeal or modification.

(5) In addition to the powers and authority hereinbefore or by statute expressly conferred upon them, the directors are hereby empowered to exercise all such powers and do all such acts and things as may be exercised or done by the Corporation, subject, nevertheless, to the provisions of the GCL, this Restated Certificate of Incorporation, and any By-Laws adopted by the stockholders; provided, however, that no By-Laws hereafter adopted by the stockholders shall invalidate any prior act of the directors which would have been valid if such By-Laws had not been adopted.

SIXTH: Meetings of stockholders may be held within or without the State of Delaware, as the By-Laws may provide. The books of the Corporation may be kept (subject to any provision contained in the GCL) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the By-Laws of the Corporation.

SEVENTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon stockholders herein are granted subject to this reservation.

**EXHIBIT**

#2YL 635 785 – Canada  
CGL 1/1/72 – 1/1/73 Lumbermans

YL 635 785 – Canada  
CGL 1/1/71 – 1/1/72 Lumbermans

#8YL 635 785 – Canada  
CGL 1/1/69 – 1/1/70 Lumbermans

#6YL 635 785 – Canada  
CGL 11/30/66–11/30/67 Lumbermans

#5YL 635 785A – Canada  
CGL 11/30/65-11/30/66 Lumbermans

#4YL 635 785 – Canada  
CGL 5/1/64 – 5/1/65 Lumbermans

#3YL 635 785 – Canada  
CGL 1/1/73 - 1/1/74 Lumbermans

CGL Wausau Ins. Co. 1/1/83 – 1/1/84  
#2724-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/84 – 1/1/85  
#0425-00-094371 (Westen Gear)

CGL Wausau Ins. Co. 1/1/84 – 1/1/85  
#0425-00-074356 (US)

CGL Wausau Ins. Co. 1/1/84 – 1/1/85  
#2725-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/82 – 1/1/83  
#0423-00-074356 (US)

CGL Wausau Ins. Co. 1/1/82 – 1/1/83  
#2723-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/81 – 1/1/82  
#0422-00-074356 (US)

CGL Wausau Ins. Co. 1/1/81 – 1/1/82  
#2722-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/80 – 1/1/81  
#0421-00-074356 (US)

CGL Wausau Ins. Co. 1/1/80 – 1/1/81  
#2721-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/79 – 1/1/80  
#0420-00-074356 (US)

CGL Wausau Ins. Co. 1/1/79 – 1/1/80  
#2720-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/78 – 1/1/79  
#2729-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/78 – 1/1/79  
#0429-00-074356 (US)

CGL Wausau Ins. Co. 1/1/77 – 1/1/78  
#0428-00-074356 (US)

CGL Wausau Ins. Co. 1/1/77 – 1/1/78  
#2728-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/76 – 1/1/77  
#0427-00-074356 (US)

CGL Wausau Ins. Co. 1/1/76 – 1/1/77  
#2727-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/75 – 1/1/76  
#0426-00-074356 (US)

CGL Wausau Ins. Co. 1/1/75 – 1/1/76  
#2726-00-021380 (Canada)

CGL Lumbermans Mutual 1/1/69– 1/1/73  
#9YL 212 558

CGL Lumbermans Mutual 1/1/73– 1/1/76  
#3YL 212 558

CGL Wausau Ins. Co. 1/1/74 – 1/1/75  
#2725-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/74 – 1/1/75  
#0425-00-074356 (US)

CGL Zurich Ins. Co. 7/1/98 – 7/1/99  
#GLO 8373872-02 (US)

CGL – Nat'l Union 7/1/99 – 7/1/02  
#RMGL 612-29-94

Zurich American Insurance  
#GLO 0837387-01 (CGL)  
2/1/97 – 2/1/98

Zurich Inc. Co.  
#GLO 8373872-00  
3/1/96 – 2/1/97

Zurich Ins. Co.  
8261067-00.  
1/3/96 – 1/2/97

CGL  
#RMGL 1210916  
2/1/95 – 2/1/96

CGL US & Canada – Wausau Ins. Co.  
2/1/93 – 2/1/94 0424-00-098543 US  
2724-00-021892 Canada

RMGL 3258882 (TX) RMGL 418 0664 (ADA)  
RMGLA 2496095 (GL) Canada  
RMGL 418 0665 (TX)

CGL US & Canada 2/1/89 – 2/1/90  
#GLA459 62 76 Nat'l Union (US)  
#GLA249 57 84 Amer Home Assur (Canada)

CGL 1/1/87 – 2/4/88  
Amer Home Assur #GLA1980375 Canada  
Nat'l Union #GLA1980374 US

CGL Wausau Ins. Co. 1/1/85 – 1/1/86  
#2726-00-021380 (Canada)

CGL Wausau Ins. Co. 1/1/865 – 1/1/876  
#2727-00-021380 (Canada)

CGL Nat'l Union 2/1/91 – 2/1/92  
RMGL 41806664 (ADS)  
RMGL 4180665 (TX) RMGLA 2495975 (Can)

#0YL 635 785 – Canada  
CGL 1/1/70 – 1/1/71 Lumbermans

CGL Zurich Ins. Co. 7/1/98 – 7/1/99  
#8261067 (Canada)

CGL Wausau Ins.. Co. 1/1/83 – 1/1/84  
#0424-00-074356 (US)

CGL – Canada  
Zurich American 2/1/97 – 7/1/98  
#826 1067

CGL  
National Union Fire 2/1/96 – 3/1/96  
RM GL 121-65-91

CGL  
2/1/95 – 2/1/986  
Canada

CGL US & Canada - Nat'l Union  
2/1/94 – 2/1/98 #RMGL 3196966 (TX)  
#RMGL 3196965 (ADS)

CGL US & Canada – AIG 2/1/92 – 2/1/93  
RMGL 3258881 (ADS) RMGL 3258968  
RMGL 3258968 (J TO P GAP)

CGL American Home Assur Co 2/1/90-2/1/91  
RMGL A 2495784 (Canada)  
RMGL 4600 497 Nat'l Union

CGL 2/4/88 – 2/1/89  
Amer Home Assur #GLA249 57 05 Canada  
Nat'l Union #GLA249 56 81 US

CGL Wausau Ins Co  
#0426-00-094777 (SCI)

CGL Wausau Ins. Co. 1/1/85 – 1/1/86  
#0426-00-074356

CGL Wausau Ins. Co. 1/1/86 – 1/1/87  
#0427-00-074356 US